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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 245/96

R.A/C.P No.

E.P/M.A No.

1. Orders Sheet.....04.....Pg. 1.....to 2.....
2. Judgment/Order dtd. 17.10.96.....Pg. x.....to. 17.10.96 order dtd
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A.....Pg.....1.....to 32.....
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.)

Sahita
21.1.18

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

4-07 No. 245196

Sr. R. N. Mazumder Applicant(s)

VS-

Union of India - Respondent(s)

Mr. J. L. Sarma, M. Chandra, Advocates for the applicant(s)

Mr. A. K. Choudhury, Advocate, Advocates for the Respondent(s)

Office Notes	Date	Courts' Orders
<p>This application is in form and within time C. F. of Rs. 50/- deposited vide IPO No. 444804 Dated ... 15.10.96</p> <p><i>J. Sarma</i> Dy. Registrar, 16/10/96</p>	17.10.96	<p>Learned counsel Mr M. Chanda for the applicant.</p> <p>Mr A.K. Choudhury, learned Addl. C.G.S.C. for the respondents.</p> <p>This application has been submitted by the applicant against the Transfer Order No.MES/26/96 dated 29.3.96 transferring him from GE Misamari to BSO (Stores), Calcutta under CE (Port Blair). The applicant has submitted a representation against the transfer order. The main grounds in the representation are that he is due to retire from service on 28.2.1998 and has been serving in the North Eastern Region since 11.2.1994 and therefore he is entitled to be posted in place of his choice in terms of Office Memorandum No.20014/3/83-E.IV dated 14.12.1983. Having perused the application and heard counsel of both sides I am of the view that this application needs not be admitted and it is disposed of with the following directions</p> <ol style="list-style-type: none">1. The respondents are directed to dispose of the representation dated 25.9.96 (Annexure-7) submitted by the applicant expeditiously in terms of the relevant rule and the O.M. dated 14.12.1996 mentioned above. The respondents shall also take into consideration the fact that the applicant is due to retire on 28.2.1998 and take a sympathetic view keeping in mind the policy in this regard

24/10/96

COPY of the order issued to the parties vide d.No. 3614 to 3620 dt. 28.10.96.

id.

17.10.96

2. The operation of the order dated 29.3.96 mentioned above in respect of the applicant shall be kept in abeyance by the respondents till disposal of the representation of the applicant.

The O.A. is disposed of with the above directions. No order as to costs.

Pl. Campy

Mr 17/10

trd

Mr 17/10

De 17/10/96
Member

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Application under Section 19 of the Administrative
Tribunals Act, 1985

O.A. No. 245/96

Sri R.N.Mazumder

-versus-

Union of India & Ors.

I N D E X

Sl.No.	Annexure	Particulars	Page No.
1	-	Application	1-20
2	-	Verification	21
3	1	An extract of O.M. dt. 12.14.1983	22-23
4	2	Letter dt. 9.10.95	24
5	2(a)	Transfer & Posting Order dt. 29.3.96	24(a)-24(b)
6	3	Representation dt. 1.5.96	25-27
7	4	Letter dt. 27.5.96	28
8	5	Letter dt. 26.8.96	29
9	6	Letter dt. 18.9.96	30-31
10	7	Representation dt. 25.9.96	32

Date : 15-10-96

Filed by

(M) M. N. Mazumder

Advocate

Rajendra Nath Mazumder

Filed by the applicant
Rajendra Nath Mazumder
Advocate
15-10-96

1. copy
K. Chandan
Advt. C. S. C.
15/10/96

1. Particulars of the Applicant.

Sri R.N.Mazumder

Barrack Store Officer

O/o the Garrison Engineer,

Misamari, P.O. Misamari,

District-Sonitpur

PIN-784506

..... Applicant

2. Particulars of the Respondents.

1. The Union of India

Through the Secretary to the Govt. of India

Ministry of Defence,

New Delhi.

2. The Chief Engineer,

Eastern Command,

Fort William,

Calcutta-700 021.

3. The Chief Engineer,

Shillong Zone,

S.E.Falls Camp,

Shillong-793003

4. The Commander Works Engineer

P.B. No. 31

Dekargaon, Solmara,

Tezpure-784001

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Rajendra Nali Mazumdar

5. The Garrison Engineer,
Misamari, P.O. Misamari
District-Sonitpur
Assam
PIN 784506

..... Respondents

3. Particulars for which this Application is made.

This application is made against the transfer and posting order issued under Office Order No. MES/26/96 dated 29.3.96 issued by the Office of the Engineer-in-Chief Branch, Army Headquarter, New Delhi whereby the applicant is sought to be transferred and posted from the office of the Garrison Engineer, Misamari to ~~xxxx~~ BSO (Stores) Calcutta under Chief Engineer (N) Port Blair i.e. from the Eastern Command to Southern Command altogether to a different establishment under the Ministry of Defence and also with the prayer for a direction upon the respondents to consider the transfer and posting of the applicant in the choice station in terms of the office Memorandum No. 20014/3/83-E.IV dated 14.12.1983 issued by the Government of India, Ministry of Defence and with the prayer to retain the applicant at the present place of posting i.e. at Misamari till consideration of the applicant's transfer and posting to his choice station in terms of his option submitted before the authorities.

4. Jurisdiction

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

Rajendra Nath Mazumdar

5. Limitation

That the applicant further declares that the application is filed within the prescribed time limit of the Central Administrative Tribunals Act, 1985.

6. Facts of the case

~~xxx~~

6.1 That the applicant is a citizen of India and as such he is entitled to all the rights and privileges guaranteed by the Constitution of India.

6.2 That the applicant was initially appointed into service on 14th November, 1962 as L.D.C. under the office of the Commander Works Engineer, Jorhat, Assam. Thereafter the applicant is serving in different capacities in different trades under the Government of India, Ministry of Defence and also transferred and posted in different places namely, Jorhat, Misa (Nagaon), Silchar, C.P. Borpani, G. Isapur, Tezpur, Kankinara, G. Misamari. The applicant was promoted as Barrack Stores Officer on 3.3.1984 and posted as Barrack Stores Officer in Isapur under the Eastern Command, West Bengal. In this connection, it may be stated that the applicant is all along serving under the Eastern Command, Ministry of Defence. The applicant was prior to his posting at Misamari, he was transferred and posted at ESD Kankinara and served there at Kankinara more than 3 years. The applicant is saddled with All India Transfer liability.

6.3 That the Government of India, Ministry of Defence granted certain improvement and facilities to the Central

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Government civilian employees who are posted at North Eastern Region vide Office Memorandum No. 20014/3/83.E.IV dated 14.12.1983 issued by the Government of India, Ministry of Finance. In terms of the ~~of~~ aforesaid Office Memorandum the Central Government civilian employees who are saddled with All India Transfer Liability are entitled to choice station posting on completion of fixed tenure posting in the North Eastern Region. In accordance with the Office Memorandum dated 14.12.1983 issued by the Ministry of Finance the Central Government civilian employees who has rendered more than 10 (ten) years of service is entitled to choice station posting on completion of 2 (two) years of fixed tenure in the North Eastern Region and those Central Government civilian employees whose length of service is less than 10 years are entitled to choice station posting on completion of 3 (three) years of fixed tenure in North Eastern Region. The present applicant has completed more than 34 years of service under the Ministry of Defence, Govt. of India in different places therefore the applicant is entitled to be posted at his choice station posting on completion of 2 (two) years of fixed tenure service in the North Eastern Region. The relevant portion of the Office Memorandum dated 14.12.1983 issued by the Ministry of Finance is quoted below :

"Subject : Allowances and facilities for civilian employees of the Central Government serving in the States and Union Territories of North-Eastern Region-improvements thereof.

The need for attracting and retaining the services of competent officers for service in the North-

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Rajendra Nath Mazumdar

Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland, Tripura and the Union Territories of Arunachal Pradesh and Mizoram has been engaging the attention of the Government for sometime. The Government had appointed a Committee under the Chairmanship of Secretary, Department of Personnel & Administrative Reforms, to review the existing allowances and facilities admissible to the various categories of civilian Central Government employees serving in this Region and to suggest suitable improvements, the recommendations of the Committee have been carefully considered by the Government and the President is now pleased to decide as follows :

(i) Tenure of posting/deputation .

There will be a fixed tenure of posting of 3 years at a time for officers with service of 10 years or less and of 2 years ~~or less~~ at a time ~~time~~ for officers with more than 10 years of service.

Periods of leave, training, etc. in excess of 15 days per year will be excluded in counting the tenure period of 2/3 years. Officers, on completion of the fixed tenure of service mentioned above, may be considered for posting to a station of their choice as far as possible. The period of deputation of the Central Government employees to the States/Union Territories of the North Eastern

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Rajendra Nath Hazumdar

Region will generally be for 3 years which can be extended in exceptional cases in exigencies of public service as well as when the employees concerned is prepared to stay longer. The admissible deputation allowance will also continue to be paid during the period of deputation so extended."

From above, it is quite clear that the applicant who is saddled with All India Transfer Liabilities is entitled to be transferred and posted to his choice station on completion of tenure posting in the North Eastern Region in terms of the Office Memorandum dated 14.12.1983.

Copy of the extract of the O.M. dated 14.12.1983 issued by the Ministry of Finance, Deptt. of Expenditure is annexed hereto and the same is marked as Annexure-1.

6.4 That your applicant after his posting at Misamari as Barrack Store Officer on 11.2.1994 in response to the option invited by the authorities submitted his option for choice station posting and the said option of choice station posting was forwarded by the Garrison Engineer, Misamari vide his letter No. 1095/A/64/E I A dated 9.10.95 in terms of the reference of the Army Headquarter letter No. 41254/Policy/EID dated 6.9.84 and accordingly with detail particulars the same was forwarded to Commander Works Engineer, Tezpur alongwith the detailed service particulars of the applicant indicating the choice station posting mentioned in the prescribed format and accordingly the

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Rajendra Nath Harindan

applicant was expecting that the higher authorities would consider his request for choice station posting as the applicant is on the verge of retirement on superannuation. Be it stated that the applicant is going to be retired on superannuation on 28.2.1998 therefore hardly there is only one year, four months service is left for the applicant.

Copy of the forwarding letter dated 9.10.95 is annexed hereto and the same is marked as Annexure-2.

6.5 That your applicant begs to state that the applicant had already intimated the authorities that he is going to be permanently settled at Barrackpore under the District of 24 Pargana, West Bengal, therefore normally the authorities/Govt. used to consider the choice station posting to the employees who are on the verge of retirement on superannuation and the applicant also have a legitimate expectation that his case would be considered for choice station posting which is indicated in Annexure-2 which was duly forwarded by the Garrison Engineer, Misamari.

6.6 Most surprisingly the applicant received the transfer and posting order issued by the Engineer in Chief Branch, Army Headquarter, New Delhi vide letter No. MES/26/96 dated 29.3.96 whereby the applicant is ~~to~~ to be transferred and posted from the office of the Garrison Engineer to Barrack Store Officer, Calcutta under Chief Engineer (N), Port Blair, under the Southern Command. The applicant was highly shocked on receipt of the transfer and posting order whereby the respondents particularly

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Rajendra Nathi Harunakar

Office of the Engineer in Chief ^{imposed the order} without considering the choice station posting. The applicant by the impugned transfer and posting order is sought to be posted at Barrack Store Office Calcutta under the office of the Chief Engineer (N), Southern Command. In this connection it may be stated that the office of the Barrack Store Office, Calcutta where the applicant is sought to be posted now is altogether a separate establishment under the same Ministry of Defence of the Government of India therefore the applicant apprehends that there may ^{be} a lot of difficulties if the applicant is now transferred and posted to a different establishment under the Southern Command on the verge of retirement on superannuation. Be it also stated that if an officer posted from one command to another command on the verge of retirement in that event the pensionary benefits and etc. is required to be finalised/settled by the Southern Command. In the instant case there is every likelihood of delay ^{of} payment of pensionary benefits as well also there may be difficulties to settle/finalise the pensionary benefits which the applicant is normally entitled on superannuation in time. Moreover, the applicant had also indicated for 5 choice stations for his posting on transfer from North Eastern Region which was duly forwarded by the Garrison Engineer, Misamari vide his letter dated 9.10.95 but without considering the same the applicant is sought to be shifted from Eastern Command to Southern Command (N) on the verge of retirement of the applicant. This ~~position~~ decision of the respondents is highly Arbitrary, illegal and unfair and therefore the impugned order of transfer

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Rajendra Nath Hazimdar

and posting issued under order dated 29.3.96 is liable to be set aside and quashed in respect of the applicant.

copy of the transfer order dt 29.3.96. is annexed as Annexure 2(a).

6.7 That the applicant immediately on receipt of the transfer and posting ^{order} dated 29.3.96 submitted a detailed representation vide his letter dated 1.5.96 wherein the applicant stating his personal difficulties for reviewing the decision of transfer and posting in respect of the applicant issued under letter dated 29.3.96 and it is also requested by the applicant in his representation dated 1.5.96 which was duly forwarded by the Garrison Engineer vide his letter No. 1016/B/417/EIA dated 27.5.96 to Chief Commander Works Engineer, Tezpur. In the said representation dated 1.5.96 the applicant also indicated another 3 choice stations namely G. Barrackpore, G. Isapur, G. North Calcutta. In response to the representation of the applicant dated 1.5.96 the Eastern Command Calcutta ^{forwarded the same} vide their letter No. 131051/2618/33/Engrs/EIB dated 23.7.96 to the office of the Engineer in Chief Branch, Army Headquarter, New Delhi. However the office of the Engineer in chief Branch, Army Headquarter, New Delhi vide their letter No. 30750/BSO/7437/EIB dt. 26.8.96 decision intimated that the representation of the applicant dated 1.5.96 for change of posting has been considered by the competent authority but not agreed upon as no vacancies of Barrack Store Officer is available on choice stations offered by the applicant and it is further directed in the said letter dated 26.8.96 that the applicant be directed to move forthwith as per Headquarter's transfer and posting

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Rajendra Nathi Hazundar

order dated 29.3.96.

Copy of the representation dt. 1.5.96 and forwarding letter dated 27.5.96 and letter dated 26.8.96 are annexed hereto and the same are marked as Annexure 3, 4 & 5.

6.8 That your applicant further begs to state that the Garrison Engineer vide his letter No. ~~1016/B/417~~ ~~XXXX dated 27.5.96~~ 1016/B/535/EIA dated 18.9.96 wrote a letter to Commander Works Engineer to Tezpur with a copy to Headquarter Chief Engineer Shillong zone Shillong wherein it is stated that since the request for change of posting of the applicant could not be considered by the higher authority as ^{the vacancy of} Barrack Store Officer is not available at his choice station intimated by the applicant in his option and the office of the Garrison Engineer as has been advised to implement the movement order of the applicant forthwith in terms of the original posting & transfer order in that connection the Garrison Engineer Misamari requested the Commander Works Engineer to sympathetically consider the case of the applicant as he is due for retirement on superannuation with effect from 28.2.98 and as there is no suitable reliever ^{yet} has not been posted to the present place of posting at Misamari and on the ground that Garrison Engineer Misamari is authorised ~~xx~~ 2 Supervisor B/S Grade I and 2 B/S Grade II and out of which only 1 is available and who is also under posting to GE Umroi and further on the ground that Supervisor B/S Grade I who is posted at Misamari so far not been reported from GE 583 Engineer Park. Therefore case for cancellation of posting order has also been taken up vide letter No. 1309/B/99/EIA dated 21.6.96 and on the ground that

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Rajendra Nath Hazumdar

the Garrison Engineer, Misamari is ^{required} 2 Supervisors B/S Grade II out of which only one BS Grade II is available who is also on the verge of retirement on superannuation. It is requested that keeping in view the above facts and circumstances it is recommended that the case of the applicant may please be taken up with higher authorities to cancel the posting order of the applicant in the interest of State. The relevant portion of the letter dated 19.9.96 is quoted below :

" POSTING : OFFICERS

1. Reference Army HQ E-in-C's Br letter No. 30750/BSO/7437/EIB addressed to HQ CE EC Calcutta and copy enclosed to this office amongst others and GE EC Signal No. 7044 dated 14 Sep 96.
2. Since the application in respect of MES-2370 20 Shri R.N.Mazumdar, BSO of this division for ~~change~~ change of posting could not be considered by the higher authority as the vacancy of BSO is not available at his choice stns and this office had been advised to implement move of offr forthwith as per their posting order.
3. In this connection the following facts are highlighted for your kind information and sympathetic consideration please :
 - (a) ' The above named officer is due for superannuation wef 28 Feb 98.
 - (b) No suitable relief has been posted to this office.

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Rajendra Nath Mazumdar

(c) GE Misamari is authorised 2 x Supvr B/S Gde I, out of which only one is held and the Gde I held also is under orders of posting to GE Umroi.

(d) Relief of 1 x Supvr B/S Gde I posted to this division is also not reported from GE 583 Engr Park and his case for cancellation of posting order also has been taken up by GE 583 Engr Park B/S vide their letter No. 1309/B/99/EIA dt. 21.6.96.

(e) GE Missamari is also authoriese 2 x Supvr B/S Gde II, out of which only one Supvr B/S Gde II is held who is on the verge of retirement.

Keepingin view the facts as stated above it is recommended that the case of the offr may please be taken up with higher authorites to cancel the posting order in the interest of the State."

From above it is quite clear if the applicant cannot be accommodated in his choice station in that event there would be no difficulty for the respondents to accommodate the applicant in the present place of posting i.e. at Misamari and the same has been very s-strongly recommended by the Garrision Engineer, Misamari. In this connection it may also be stated that if the applicant cannot be accommodated in his choice station posting in that event the applicant is ready to continue in the present place of posting till his superannuation and especially on the

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verge of retirement if the applicant cannot be accommodated to his choice station where he has already expressed his intention to settle in that event the applicant may not be disturbed from the present place of posting i.e. at Misamari and particularly when there is no reliever has yet been posted. It is a settled position of law that the officer who has served nearly 38 years of service in the same establishment under the Eastern Command is ought to be accommodated on priority basis to the choice station posting considering the fact that the applicant is retiring on 28.2.98 and if his transfer and posting is not possible to the choice station in that event the authorities ought to have taken the consent/option of the applicant before issuing any transfer and posting ^{order} to other station than his choice. Further considering the fact that the applicant is retiring on 28.2.98 and also on considering of the fact that there are no vacancy available in the choice station indicated by the applicant the respondents be directed to allow the applicant to continue in the present place of posting at Misamari.

A copy of the letter dated 18.9.96 is annexed hereto and the same is marked as Annexure-6.

6.9 That your applicant further begs to state that in the transfer and posting policy prescribed by the Ministry of Defence, Government of India where it is specifically mentioned that those employees who are on

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the verge of retirement on superannuation are entitled to be posted to their choice stations and there is also a policy that the officers who are on the verge of retirement may not be disturbed. Therefore the Hon'ble Tribunal be pleased to direct the respondents to produce the Transfer and posting policy formulated by the Department of MES, Govt. of India, Ministry of Defence before the Hon'ble Tribunal for perusal.

6.10 That your applicant thereafter again submitted a representation dated 25.9.96 where the applicant further requested for reviewing his transfer and posting order issued under letter dated 29.3.96 and further requested for consideration of his posting at his choice station indicating nearly ⁸/₈ places and also stated in detail the difficulties likely to be occurred by the applicant if the impugned transfer and posting order dated 29.3.96 is implemented and the said representation dated 25.9.96 has also been forwarded by the Garrison Engineer, Misamari to the higher authorities for consideration but till date no communication has been received by the applicant. Therefore finding no other alternative the applicant is approaching this Hon'ble Tribunal with this Original Application for setting aside and quashing the impugned order of transfer and posting dated 29.3.96 and letter dated 26.8.96 and also praying for a direction upon the respondents to allow him to continue in the present place of posting i.e. at Misamari till his retirement on superannuation i.e. upto 28.2. 1998.

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6.11 That your applicant also acquired a valuable & legal right in terms of the Office Memorandum No. 20014//3/83-E.IV dated 14.12.1983 on completion of his fixed tenure in the North Eastern Region for choice station posting therefore the impugned transfer and posting order dated 29.3.96 is liable to be set aside and quashed.

A copy of the Representation dt. 25-9-96 is enclosed as annexure -17

6.12 That this application is made bonafide and for the cause of justice.

7. Reliefs sought for :

Under the facts and circumstances the applicant prays for the following reliefs :

1. That the impugned transfer and posting order issued under letter No. MES/26/96 dated 29.3.1996 (Annexure-2(a)) in respect of the applicant be set aside and quashed.
2. That the order issued under letter No. 30750/BSC/7437/EIB dated 26.8.96 be set aside and quashed.
3. That the respondents be directed to allow the applicant to continue in his present place of posting at Misamari in the same capacity till his retirement on superannuation, i.e. upto 28.2.1998.
4. To pass any other order or orders as deemed fit and proper under the facts and circumstances as stated above.

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*Att. checked
D. S. S.
And V*

The above reliefs are prayed on the following amongst other-

- G R O U N D S -

1. For that the applicant on the verge of retirement and retiring on superannuation w.e.f. 28.2.98 therefore entitled to be posted to his choice station.
2. For that in the event of no vacancy in the choice station of the applicant the applicant is to be retained in the existing place of posting till superannuation as per the transfer and posting policy/guidelines of the Ministry of Defence, Govt. of India.
3. For that the applicant is entitled to be posted at choice station interms of Office Memorandum No. 20014/3//83-E.IV dated 14.12.1983 on completion of his fixed tenure posting.
4. For that there is no difficulty on the part of the respondents to allow the applicant to be continued in the existing place of posting i.e. at Misamari in view of the statement made by the Garrison Engineer in the letter dated 18.9.96.
5. For that if the impugned order of transfer and posting order dated 29.3.96 is implemented at this stage in that event the applicant

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Accepted
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~~will face a lot of~~

will face a lot of difficulties especially in the matter of ~~xxxxxxx~~ finalisation of his pensionary benefits as the Southern Command is altogether a separate establishment although under the same Ministry of Defence, Govt. of India.

6. For that on the verge of retirement on superannuation the Govt. employee should not be disturbed when there is only 1 year 4 months service is ~~xxxx~~ left into the credit of the applicant.
7. For that the applicant has served for a considerable long period of service and also completed his fixed tenure posting in the North Eastern Region is entitled to be posted in the place of his choice station in terms of the Office Memorandum dated 14.12.1983.
8. For that the applicant submitted his option which is not considered by the respondents and also submitted representations which were strongly recommended by the local authorities but the same have not been considered by the higher authorities.
9. For that in view of the letter dated 18.9.96 issued by the Garrison Engineer which was addressed to Commander Works Engineer, Tezpur

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disclosed the fact that there is no difficulty for allowing the applicant to continue his service in the existing place of posting at Misamari in the same capacity.

8. Interim Reliefs prayed for :

1. That the impugned transfer and posting order dated 29.3.96 be stayed till final disposal of the Original Application in respect of the applicant.
2. That the respondents be directed not to release the applicant till final disposal of this application.

The above reliefs are prayed on the grounds explained in paragraph 7 of this application.

9. Details of remedies exhausted

That the applicant declares that he has exhausted the remedies by filing representation before the respondents.

10. Matter not previously filed or pending with any other court/tribunal.

The applicant further declares that the matter regarding which this application has been made is not pending before any court of law or any other authority or any other Bench of the Tribunal.

Attested
by
[Signature]
[Signature]

11. Particulars of the I.P.O.

I.P.O. No. : 444804
Date of Issue : 15-10-96
Issued from : G.P.O., Guwahati.
Payable at : G.P.O., Guwahati

12. List of enclosures

As stated in the Index.

Attested
Dy. Secy
Adm

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

I, Sri R.N. Mazumdar, ~~son of~~ ^{Wen.}
aged about 56 years, working as Barrack Store Officer,
in the office of the Garrison Engineer, Misamari, P.O.
Misamari, District-Sonitpur, applicant in this application
and after going through this application do hereby declare
that the statements made in this application are true
to my knowledge and belief and I have not suppressed any
material facts.

I sign this verification on this the 15th day
of Oct 1996.

Dajendra Nath Mazumdar

Signature

AN EXTRACT OF THE O.M. No. 20014/3/83-E.IV dated 14.12.1983 ISSUED BY THE GOVERNMENT OF INDIA, MINISTRY OF FINANCE, DEPARTMENT OF EXPENDITURE, NEW DELHI.

OFFICE MEMORANDUM

Subject : Allowances and facilities for civilian employees of the Central Government serving in the States and Union Territories of North Eastern Region-improvements thereof.

The need for attracting and retaining the services of competent officers for service in the North Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland, Tripura and the Union Territories of Arunachal Pradesh and Mizoram has been engaging the attention of the Government for sometime. The Government had appointed a Committee under the Chairmanship of Secretary, Department of Personnel & Administrative Reforms, to review the existing allowances and facilities admissible to the various categories of civilian Central Government employees serving in this Region and to suggest suitable improvements. The recommendations of the Committee have been carefully considered by the Government and the President is now pleased to decide as follows :

(i) Tenure of posting/deputation.

There will be a fixed tenure of posting of 3 years at a time for officers with service of 10 years or less and of 2 years at a time for officers with more than 10 years of service. Periods of leave, training, etc. in excess of 15 days per year will be excluded in counting the tenure period of 2/3 years. Officers, on completion of the fixed

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tenure of service mentioned above, may be considered for posting to a station of their choice as far as possible. The period of deputation of the Central Government employees to the States/Union territories of the North Eastern Region will generally be for 3 years which can be extended in exceptional cases in exigencies of public service as well as when the employees concerned is prepared to stay longer. The admissible deputation allowance will also continue to be paid during the period of deputation so extended.

AH as Fed
C. H. L.
Adv.

Annexure-2

TELE MILY - 417
No. 1095/A/64/EIA

Durg Abhiyanta
Garrison Engineer
Missamari (Assam)

CWE TEZPUR

09 Oct. '95

Forwarding of Turnover Proforma Officers.

1. MES-237026 Shri R.N. Mazumder, BSO who is willing to go on turnover posting to his choice station alongwith Appx 'A' to Army HQ letter No. 51254/Policy dated 06 Sept '84 is enclosed herewith in quadruplicate for your further necessary action please.

Enclo : As above

Sd/- R.S. Chuma
Major
Garrison Engineer
9/10

Attested
Chh
Adv

1237 US INTERCOM CARDS IN FILE 75F Feb 9, 1950 57th date

as of five active stations in
that of prisoners.

Kandibara .. 01 Kandibara
 GE at Col. 01 at Col.
 GE at Col. 01 at Col.
 GE at Col. 01 at Col.
 GE at Col. 01 at Col.
 GE at Col. 01 at Col.

Director of the Office

2006-2007

RS Cheema

Garson Business

Attended
① when
Adx

Tele : 3019620

Coord & Pers Directorate/EIB
 Engineer-in-Chief's Branch
 Army Headquarters
 DHQ PO, New Delhi-110 011

No. MES/26/96

29 Mar 96

Chief Engineer

Southern Command Pune
 Eastern Command, Calcutta
 Western Command, Chandimandir
 Central Command, Lucknow
 Northern Command, C/o 56 APO

ESD Kankinara

POSTING : OFFICERS

1. The following postings are approved :-

Ser	MES No., Name & Desig	From	To	Remarks
(a)	MES-237026 Shri R.N. Mazumder, BSO	GE Missamari	BSO (Stores) Calcutta under CE (N) Port Blair	In an existing vacancy
(b)	MES-234752 Shri A K Chowdhary, BSO	GE Jorhat	EST Kanki-nara as BSO	In an existing vacancy
(c)	MES-409811 Shri XXX M. Joy	GE (South) Secunderabad	GE (P) Fort Cochin	In an existing vacancy
(d)	MES-127268 Shri B R Rao, BSO	GE (AF) Srinagar	GE (South) Secunderabad	Vice Shri M Joy
(e)	MES-436078 Shri Ved Prakash BSO	GE (EP) Suratgarh	CWE No.2 Dehradun as BSO	In an existing vacancy
(f)	MES-302059 Shri Madan Lal, BSO	GE (AF) Ambala	GE (AF) Chandigarh	Vice Shri Rachan Singh
(g)	MES-310837 Shri Balbir Singh BSO	GE 861 EWS	GE (AF) Ambala	Vice Shri Madan Lal

His earlier posting issued to GE (AF) Yeh Lanka vide this HQ posting order No. MES/05/96 dt. 03 ~~xxxxxxx~~ Jan 96 is hereby cancelled.

(h)	MES-306338 Shri DK Verma, BSO	GE Kasauli	GE (AF) Srinagar as B SO	Vice Shri BR Rao
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Sd/- Illegible :
 SOI Engrs Pers 'B'

Contd.....

No. MES/26/96 dated 29 Mar 96

2. Departure/arrival of the officers will be reported to this HQ (EIB/MIS Civ/ADP) by telex/signal by the relieving/receiving units on the days of their SOS/TOS.
3. ACRs of the officers will be initiated soon after their SOS dates, if they have completed three months or more in the current ACR year under any Initiating officer.
4. Move of the officers will be implemented by 30 Jun 96.

Sd/- Illegible

(OP Dudi)

Lt. Col

SOI Engrs Pers 'B'
for Engineer-in-Chief

Copy to :-

CE SE Falls Shillong, CE (Navy) Port Blair, CE Hyderabad Zone, CE (Navy) Cbchin, CE Srinagar Zone, CE Bhatinda Zone, CE Bareilly Zone, CE (AF) WAC Jabalpur, CE Chandigarh Zone.

CWE Tezpur, CWE Dinjan, CWE Secunderabad, CWE Cochin, HQ 134 Wks Engrs., C/o 56 APO CWE (P) Bikaner, CWE No.2 Dehra Dun CWE (AF) Chandigarh.

GE Missamari, BSO (Stores) Calcutta under CE (Navy) Port Blair, GE Jorhat, GE (South), Secunderabad, GE (P) Port Cochin, GE (AF) Srinagar, GE (EP) Suratgarh GE (AF) Ambala GE (P) Patiala, GE 861 EWS/C/o 56 APO GE (EP) Chandigarh, GE Kasauli CRO (O), C/o GE Delhi Zone, All India MES Civ Offrs Association.

Internal :- TS to DGW, PS to ADCE (Pers) PA to DYGE (Pers), DDGW (P&C), MIS Civ, AdP, MS-12A, EIB Stores E-Coord.II (2 copies), Master folder, Propopal fold.

Attended
Dhale
ADV

Annexure-3

From : MES/237026
Shri RN Mazumder, BSO
C/o GE Missamari
Sonitpur (Assam)

To

~~THE E-IN C'S BRANCH~~

The E-in C's Branch
Army Head Quarter
AHQ P.O. New Delhi-11011

(Through Proper Channel)

POSTING : OFFICERS

Respected Sir,

I beg to draw your Justices kind attention to your HQ posting/Transfer Order No. MES/26/96 dated 29 Mar' 96 wherein I have been considered for posting to B.S.O. (Stores) Calcutta as my last log posting after completing tenure stay at GE Missamari.

2. Though your good office has considered my posting in Calcutta complex but I find out no other alternative but to put forth the following for your reviewal :-

- (a) As on certain exigencies, specially for the education and other domestice requirements, I decided to settle at Barrackpore Area after retirement. This fact was also communicated to your good office while submitting name for choice station. My family members are accordingly settled at Barrackpore;
- (b) Keeping in view of my desire to settle at Barrackpore, I requested for posting to any office at/near Barrackpore;
- (c) I am Diabetic patient;
- (d) I am having injury in my spinal chord;

Attested
Datta
Adv

Contd....

Annexure-3 (Contd.)

3. In case I am perforce required to join the office of the B.S.O. (Store) Calcutta, the up and down daily journey to Calcutta will be a nightmare for me at this age (to be superannuated on Feb'1998) considering the difficult, crowdy transports and my health condition. The same is definitely to have adverse effects on my peaceful living.

4. Beside the submission made in para 3 above, the very basic idea of my last log posting will be futile as the time available to me after making such long difficult journeys at Calcutta and thereby be coming tired also, there will be almost no time available to me to spare for doing the needfuls for my settlement at Barrackpore itself prior to my retirement.

5. My daughter has already in marriagable age (24 years) since I had been far away from my home (posted at Missabari) I could not make any negotiations for her marriage. Since the marriage of my daughter is a prime responsibility for me and the same requires enough time for proper choice but as mentioned in para 4 above I shall be deprived of same. Your judgement will definitely realise that it will be most desirable that the same is settled prior to my retirement itself.

6. Keeping in view of the position explained above, I approach your good office to kindly consider reviewing my present posting order and post to any of the following offices :

- (a) GE Barrackpore
- (b) GE Ishapore
- (c) GE (North) Calcutta.

7. In connection with my request for posting to any formation mentioned in para 6 above, it is understood that the present B.S.O. at GE Barrackpore has completed 2 years at Barrackpore and there is clear vacancy at GE Barrackpore.

Contd.....

Attested
@hls
p2v

Annexure-3 (Contd.)

8. With all the above, I once ~~xxx~~ more approach your benevolence to consider my prayer for which kindness myself alongwith my family members shall be evergrateful to you.

Thanking you,

Yours faithfully,

Dated 01/05/96 ✓

Sd/- R.N.Mazumder, B.S.O.
MES/237026

Copy to :-

BSO (Store) Calcutta - for information please,
Fort William
Calcutta-21
(Through GE Missamari)

Attested
@Rn
Adv

Annexure-4

Mil Tele : 417

Durg Abhiyanta
Garrison Engineer
Missamari (Assam)

1016/B/417/EIA

27 May 96

CWE Tezpur
Tezpur-784001

POSTING : OFFICERS

1. An application dated 01 May 96 in respect of MES-237026 Shri R.N. Mazumder, BSO of this office received on 25 May 96 requesting for change of posting ordered vide E-in-C's Branch posting order No. MES/26/96 dt. 29 Mar 96 is forwarded herewith duly recommended in quadruplicate for your further favourable action please.

Enclo : Eight

Sd- R.S. Cheema
Major
Garrison Engineer
22/5

N O O

BSO GE Missamari - for information.

Attested
CWC
Adv

Annexure-5

Tele : 3019620

Coord & Pers Directorate/EIB
Engineer-in-Chief's Branch
Army Headquarters
DHO PO, New Delhi-110011

30750/BSO/7437/EIB

26 Aug 96

HQ Eastern Command
Engrs Branch
Calcutta

POSTING : OFFICERS

1. Ref your HQ letter No. 131051/2618/33/Engrs/EIB dt. 23 Jul 96.
2. Application dt 01 May 96 in respect of MES-237026 Shri R.N. Mazumder, BSO of GE Missamari for change of posting has been considered by the competent authority and not agreed to as vacancy of BSO NOT repeat NOT Available at choice stns dnd by offr.
3. Please implement move of offr forthwith as per this HQ posting order and intimate SOS date by telex/signal.

Sd/- Ashok Singh
Lt. Col
SOS Engrs
for Engineer-in-Chief

Copy to :

GE SE Falls Shillong

GE Missamari

Attested
by
Adv

Tele Mil 467

Garrison Engineer
Missamari

1016/B/3535/EIA

18 Sep 96

CWE Tezpur

POSTING : OFFICERS

1. Reference Army HQ E-in-C's Br letter No.30750/BSO/7437/EIB addressed to HQ GE EC Calcutta and copy enclosed to this office amongst others and CE EC Signal No. 7044 dated 14 Sep 96.
2. Since the application in respect of MES-237020 Shri R.N.Mazumdar, BSO of this division for change of posting could not be considered by the higher authority as the vacancy of BSO is not available at his choice stns and this office has been advised to implement move of offr forthwith as per their posting order.
3. In this connection the following facts are highlighted for your kind information and sympathetic consideration please.
 - (a) The above named officer is due for Superannuation from service wef 28 Feb 98
 - (b) No suitable relief has been posted to this office.
 - (c) GE Missamari is authorised 2 x Supvr B/S Gde. I out of which only one is held and the Gde I held also is under cadres of posting to GE Umroi.
 - (d) Relief of 1 x Supvr B/S Gde I posted to this division is also not reported from GE 583 Engr Park and his case for cancellation of posting order also has been taken up by GE 583 Engr Park vide their letter No. 1309/B/99/EIA dt. 21.6.96.
 - (e) GE Missamari is also authorised 2 x Supvr B/S Gde II, out of which only one Supvr B/S Gde II is held who is on the verge of retirement.

Attested
OHL
ALV

Contd..

37

4. Keeping in view the facts as stated above it is recommended that the case of the offr may please be taken up with higher authorities to cancell the posting order in the dinterest of the state.

(Sital Singh)
Major
Garrison Engineer

Copy to :-

HQ CE SZ Shillong - for information and necessary astion please.

Attested
Dills
Ad V

From:

Annexure-7

MES/237026

Shri R.N.Mazumder, BSO
C/o GE Missamari
Sonitpur (Assam)

To

Army Headquarters
E-in'Cs Br, DHQ
P.O.New Delhi-110011

(Through Proper Channel)

Sub : POSTING : OFFICERS

Respected Sir,

1. Reference your HQ letter No. 30750/BSO/7437/EIB dated 26 Aug 96 and posting transfer order No. MES/26/96 dt. 20.3.96.
2. Respectfully I beg to draw your kind attention with soft heart to review and reconsideration on humanitarian ground towards the following facts :-
 - (a) Last leg posting had been offered by me on Appx'A' to Army HQ letter No. 41254/Policy/EIB dt. 06 Dec 84 as under :-
 - (i) EST Kankinara ✓
 - (ii) GE (C) Calcutta
 - (iii) GE Barrackpore (to be permanently settled on superannuation)
 - (iv) GS Narangi
 - (v) GE (FW) Calcutta
3. But I was shocked to note that some one posted to ESD Kankinara and I have been posted to BSO Stores Fort William Calcutta under CE(N) Port Blair under Southern Command having separate establishment within the same Min of Def. will cause abnormal delay in finalisation of pension documents and to get pension benefits on before 28 Feb 98.
4. In this connection an appeal dt. 01 May 96 had been submitted to your goodself through proper channel wherein expressed my all genuine problems and had made further request to review and reconsider the following choice stations where some one completed their tenure.
 - (a) GE Barrackpore
 - (b) GE Ishapore
 - (c) GE (N) Calcutta
5. But it is my ill luck that I have not been considered any of the above station even ESD Kankinara/GE (A/F) Barrackpore.
6. In view of the facts stated above, it is therefore requested to your honour not to take any offence rather I will be forced to take shelter of law if otherwise, as myself and family members are mentally disturbed.

Thanking you Sir,

Yours faithfully,

Dated 25 Sep 96
Advance copy to
AHQ, E-in'Cs Br., DHQ, New Delhi-11

Sd/- R.N.Mazumder
BSO

Attended
only
BdV