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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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Closed Date-08/01/01

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SECTION OFFICER (Judl.)

OA No. 713/96

MP No.

RA No.

CP No.

Dr. M. S. Singh

APPLICANT(S)

Union of India & ors

RESPONDENT(S)

Mr. M. Bimal Sharma, Advocate for the applicant.

Mr. S. Ali, for C.G.S.C., Advocate for the Respondents.

Office Notes

Date

Court's Orders

Application in
form and within time

C. F. of Rs. 50/-

deposited vide

BOB No 346047

Dated 18.7.96

2.7.96

Learned counsel Mr. Bimal
Sarma for the applicant. Learned Sr.
C.G.S.C., Mr S. Ali, for the respondents.

In this application the applicant
has contested the transfer order
No. EST/JTO/TFR/96-97/39 dated 10.6.96
(Annexure-A/15) transferring him from
JTO, Loktak, Manipur to Wakha, Nagaland
as being in contravention of the terms
of the order of the Chief General Manager
Telecommunications, N.E. Circle, Shillong
letter No. STB/ES-3/Tenure/11 dated
25.8.1995 (Annexure-13) and No. STE/ES-3/Tenure/258 dated 31.5.1996 (Annexure-A/14). It is found that the applicant
had submitted a representation dated
14.6.1996 (Annexure-A/18) to respondents
Nos. 1 and 2. This representation has
not been disposed of by the respondent.
This O.A. is, therefore, disposed of
with a direction to the respondent
to dispose of the representation of the
applicant dated 14.6.1996 aforesaid within
one month from the date of receipt
of this order by respondent No. 1.

Pending disposal of the representation
dated 14.6.1996 by the respondent
the operation of the impugned order
No. EST/JTO/TFR/96-97/39 dated 10.6.1996
(Annexure-A/15) is stayed and this interim

~~By Order~~

Copy of order is shown to
Respond. No. 3 in place of
Respond. No. 1.

M. Sharma
11/7/96
1/e DR

18.7.96

Copy of order issued
to the applicant and to
the respondents along with
the copy of application.
and also to the L/Admn.
of the party, vide D. No.
2174 to 2178 Dd. 18.7.96

2.7.96

direction will stand vacated automatically on disposal of the aforesaid representation dated 14.6.1996.

The application is disposed of. No order as to costs.

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

2.7.96
Member

nkm

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH: GUWAHATI :

GUWAHATI CASE NO. 113 OF 1996

Shri M. Samarendra Singh, JTO Loktak/Bishnupur,
Imphur.

... APPLICANT

-Versus-

The Chief General Manager Telecommunication,
N.E. Circle, Shillong and two others.

... RESPONDENTS

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Received copy
Shankarab
Sr. CGSC
1/24/86

[Signature]

Presented on 1-7-96
by H. Sindol Sharma
H. Sindol Sharma

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Signature of the applicant

M. Dasgupta

NS

-(3):-

For use in Tribunal's Office

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Date of filing	1-7-96
OR	
Date of Receipt by Post	
Registration No.	OA 113/96
	
	Signature 1-7-96
	for Registrar



X

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

GAUHATI BENCH

Tribunal ~~Transfer~~ Case No. 113 of 1996

IN THE MATTER OF -

Application under section 19 of
the Administrative Tribunal Act,
1985 read with Rule 4 of the Central
Administrative (Procedure) Rules, 1987.

AND

IN THE MATTER OF -

Shri M. Samarendra Singh, Junior Telecom
Officer, Loktak, Manipur, Department of
Telecommunication.

..... APPLICANT

-Versuse-

1. The Chief General Manager,
North Eastern Circle, Shillong,
Department of Telecommunication,
Shillong - 793 001, Meghalaya.
2. The Telecom District Manager,
Department of Telecommunication,
Imphal - 795 001, Manipur.
3. The Union of India.

..... Respondents

..... In the matter of an

19/12

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-:(2):-

In the matter of an application on behalf of the applicant for redressal of his grievance or for quashing Order No. EST/JTO/TFR/96-97/39, dated 10-6-1996 of the Telecom District Manager, Imphal (Respondent No. 2), (Annexure A/15).

Most respectfully Sheweth :

1. PARTICULARS OF THE APPLICANT :

- (i) Name of the applicant : Shri M. Samarendra Singh
- (ii) Name of Father : Shri Moirangthem Megho Singh
- (iii) Designation and particulars of office (name and station) in which employed/or was last employed before ceasing to be in service. : Junior Telecom Officer, Loktak/Bishnupur, Manipur, Telecommunication Department, Govt. of India.
- (iv) Office Address : Office of the Junior Telecom Office, Loktak/Bishnupur, Manipur, Bishnupur District, Manipur, Department of Telecommunication, Govt. of India.
- (v) Address for service or notice : The above address described in Sl.No. or item No. 1(iv) OR at M. Samarendra Singh, Khangabok Awang, Part - I, Khangabok Village, under Thoubal District of Manipur.

.... 2. PARTICULARS OF THE



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2. PARTICULARS OF THE RESPONDENTS :

- (a) The Chief General Manager,
North Eastern Circle, Shillong,
Department of Telecommunications,
Shillong - 793 001, Meghalaya.
- (b) The Telecom District Manager,
Department of Telecommunications,
Govt. of India, Imphal - 795 001,
Manipur.
- (c) The Union India, represented by the
Secretary, Ministry of Communications,
Govt. of India, New Delhi - 110 001.

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

The application is against the
following order :

- | | |
|-------------------------|---|
| i) Order No. | : No. EST/JTO/TFR/96-97/39 |
| ii) Date | : Imphal, the 10th June, 1996 |
| iii) Passed | : Telecom District Manager,
Imphal, Deptt. of Telecommunication
Imphal, Manipur (Respondent No. 2) |
| iv) Subject in
brief | : Transfer the applicant holding the
post of Junior Telecom Officer,
Loktak/Bishunpur, Manipur Division
to Wakha, Nagaland under Nagaland
Division with immediate effect. |

..... 4. That the

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-:(4):-

4. That the applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal.

5. That the applicant further declares that the application is within the limitation prescribed in section 21 of the Administrative Tribunal Act, 1985.

6. FACTS OF THE CASE :

The facts of the case are given
below :

(1) That the applicant is a permanent resident of Khangabok Village under Thoubal District of Manipur State and he has passed Graduation.. He was appointed as Phone Inspector in the Department of the the Post & Telegraph now Department of Telecommunications vide Order No. E-101/P.I/95, Dated at Dimapur the 2nd February, 1977 (order issued after completion of training) however, he joined his service at Kohima, Nagaland on 12-4-1976.

Annexure A/1 is the copy of the
appointment letter dated 2-2-1977.

(2) That after serving as Phone Inspector at Kohima for about 2 years, the applicant was transferred as Phone Inspector at Imphal, Manipur.

The applicant was promoted to the
post of Junior Engineer (now Junior Telecom Officer for
short 'JTO') while he was undergoing Junior Engineer

.... Training at

RZ

-(5):-

Training at Jabalpur, Madhya Pradesh and posting was given at Guwahati vide Order No. STB-1/JE-Trainee/Posting, dated at Shillong, the 15th October, 1985 of the Respondent No. 1. Accordingly, the Account Officer (TRG), for G.M. TTC., Jabalpur issued order of striking off the Junior Engineer Trainees for joining to their concerned offices/places after completion of the said Training vide Order No. TC/II/3510/JE M010, dated at Jabalpur, the 18/10/85.

Annexure A/2 is the order dated 15-10-85; and

Annexure A/3 is the copy of the order dated 18-10-85.

(3) That according to the said orders in Annexure A/2 and Annexure A/3 above, the Asstt. Director Telecom, Imphal released the applicant for joining at the new station vide Released Order No. Est/JE-1/Trg/374, dated at Imphal, the 19th Nov '85. The applicant was joined at his new posting at Guwahati and he was attached as J.E. Grievance Cell attached to the Commercial Officer, O/o the D.M.T. Guwahati vide No. DMT/EST-2/T&P/L/85-86/10, dated at GH, 29-10-85.

Annexure A/3^(a) is the said released order dated 19-11-85; and

Annexure A/4 is the order dated 29-10-85 of the Divisional Engineer P&A), O/o the D.M.t. GH.

(4) That after serving about 3/4 months as J.E. at Gauhati, the applicant was transferred as

....JTO Lamphel



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-:(6):-

JTO Lamphel vide order of the Respondent No. 1 in its Order No. STB/ES-3/Tenure/VII, dated at Shillong, the 2nd January, 1986. According to the said order the applicant was released from the Guwahati to enable him to join at Lamphelpat, Imphal. The Asstt. Director Telecom Manipur issued an order dated at Imphal, the 3rd February, 1986 under No. Est/J⁴-2/TFR/215 for allowing the applicant to join as JTO Lamphelpat, in Manipur Division and as such the applicant become one of the JTOs under Manipur Division of Department of Telecommunications.

Annexure A/5 is the copy of the said transfer order dated 2-1-86; and

Annexure A/6 is the copy of the joining order and transfer of posting dated 3-2-86.

(5) That after serving as JTO, Lamphel for about 4 years, the applicant again transferred as J.T.O. Installations and Maintenance of C-Dot Exchanges at Tamenglong, Tamenglong District of Manipur and entire Manipur State vide Order No. EST/JTO-2/TFR/126, dated at Imphal the 12th April, 1990.

Annexure A/7 is the copy of the said order of transfer dated 12-4-1990.

(6) That thereafter the applicant was transferred as JTO, South at Imphal after about 2 years serving as JTO Installations and maintenance, however,

..... it was cancelled

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--(7)--

it was cancelled. The order of transfer of the applicant as JTO (South) was passed under No. Est/JTO-2/TFR/183, dated at Imphal, 22.6.92 of the Respondent No. 2. Though the said order was pass-ed it was^{not} implemented as it was cancelled, however, again by an order No. Est/JTO/TFR/202, Dtd. at Imphal, 29.8.92, the Respondent No. 2 again transferred the applicant from JTO ~~(VIP)~~ Installations & Maintenance (JTO C-DOT) to as JTO (VIP) and posted at Imphal.

Annexure A/8 is the copy of the order dt. 22-6-92; and

Annexure A/9 is the copy of the order dt. 29-8-92.

(7) That the applicant remain as-JTO (VIP) at Imp-hal only about 1 (one) year then he was transferred as JTO Bishnupur/Loktak by the Respondent No. 2 vide order No. Est/JTO-2/TFR/253, Dtd. at Imphal, 28.9.93 and the applicant has been serving till date as JTO Bishunpur/Loktak since the said transfer and as such the Applicant is always on the run because of frequent and unschedule transfer. In fact the ~~the~~ Respondent No. 2 has no ~~power~~ empowered to transfer the applicant right from ~~transferring~~ the transfer order in Annexure A/7 to Annexure A/8, ~~A/9~~, A/10 as the transfer affects outside Head Office/Quarter except by the Respondent No. 1. However, in the interest of service and as a Loyal to the Government, the applicant followed without any protest or objection.

Annexure A/10 is the copy of the transfer order dated 28-9-93.

...(8) That

[Signature]

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-:(8):-

(8) That the applicant has so far completed more than 11 (eleven) years as JTO since he has been appointed as JTO vide Annexure A/2 dated 15-10-85 so he has qualified for the next promotion to the post of TES (Group) 'B' as the minimum qualification is 5 (five) years as JTO and the said TES Group 'B' is a promotion time bound post. At present there are about 4 (four) post of TES Group 'B' are lying vacant in the Manipur Division like at Churachandpur, Senapati, Imphal etc. For the appointment of the said promotional post of TES Group 'B' from amongst the JTO there is no examination but a time bound promotional post if the post is/are available. The applicant is one of the applicant for the said post and in this respect the Divisional Engineer (SEP), Imphal forwarded the applications for appointment as TES Group 'B' from JTOs to the Assistant General Manager (A) of the Office of the Respondent No. 1 vide Letter No. E-5/Group 'B'/95-96/175, Dated at Imphal, the 4th October, 1995 shows that the name of the applicant appears in Sl. No. 2 according to seniority.

Annexure A/11 is the copy of the
said forwarding letter dt. 4-10-95.

(9) That the person named Shri P.B. Singh appears in Sl. No. 1 in the said forwarding letter in Annexure A/11 has already been promoted on officiating basis as TES Group 'B' vide order of the Asstt. General

.... Manager, Telecom (A)

RS

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--:(9):--

Manager Telecom (Admin) of the Office of the Respondent No. 1, No. STB/TE-11/Pt-III/80, Dated at Shillong the 22nd March, 1996 and as such the applicant now becomes the seniormost JTO in Manipur Division.

Annexure A/12 is the copy of the said officiating promotion dt. 22-3-96.

(10)

That under the order of the Respondent No. 1 vide No. STB/ES-3/Tenure/XI, Dated at Shillong, the 25th August, 1995, ~~there were~~ 9 (nine) JTOs who have been serving in different Divisions have been transferred to different Divisions. Out of which one Shri Rashid Ahme Shah who is working as JTO/Wakha in Nagaland Division transferred under Manipur Division. The Respondent No. 1 directed to different Telecom District Managers of different Divisions including the Respondent No. 2 to sent the relievers from amongst the longest stay at their stations. As a follow of actions, the Respondent No. 1 issued another order dated 9th February, 1996 under No. STB/ES-3/Tenure/XI addressed to all the Telecom District Managers under its Region asking them whether the officials have been transferred.

Annexure A/13 is the copy of the said transfer order dt. 25-8-95; and

Annexure A/14 is the copy of the said follow-up action dt. ~~25-8-95~~ 9-2-96.

..... (11) That

[Signature]

(11) That the Respondent No. 2 did not take any steps or kept silent for sending a reliever from Manipur Division because his sweet one would be affected and as such he remain silent. In the meantime the seniormost JTO in Imphal Shri P.B. Singh promoted in the next higher post vide Annexure A/12. The act of the Respondent No. 2 is arbitrary ~~as he~~ because if he acted immediately according to the order and directives of the Respondent No. 1 in Annexures A/13 and A/14, the said P.B. Singh would have gone to Wokha, Nagaland Division as a reliever of the said Rashid Ahmed Shah so he waited and remained silent till the said P.B. Singh has been promoted.

(12) That the ~~Respondent~~ Assistant General Manager, Telecom (A) of the Office of the Respondent No. 1 issued a letter dated at Shillong the 31-5-96 under No. STB/ES-3/Tenure/258 addressed to the Respondent No. 2, under the directives of the Respondent No. 1, directed that "reliever of Shri Rashid Ahmed Shan, JTO working now in Wokha should be relieved by the longest stay J.T.O. in Imphal positively before 07.07.96.

Annexure A/14 is the copy of the said letter dt. 31-5-96.

(13) That utmost surprise to the applicant who is waiting for promotion to the higher post as he is the seniormost JTO serving in Manipur Division, against

... the directives of the

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-:(11):-


the directives of the Respondent No. 1, the Respondent No. 2 pick-up the applicant who is not the longest stay JTO at Imphal and issued order of transfer vide his letter No. EST/JTO/TFR/96-97/39, Dtd. 10.6.96 and directed to relieve the said Md. Rashid Ahmed Shah with immediate effect.

Annexure A/15 is the copy of the
said transfer order dt. 10.6.96.

(14) That it is humbly submitted that the applicant is not the longest stay JTO at Imphal. He is now posted as JTO Bishunpur/Loktak under Bishnupur District of Manipur. There are many JTOs at Imphal who are staying a very long period. It is humbly submitted the applicant remained at Imphal only about one year as JTO (VIP) vide Annexure A/9 dt. 29-8-92 and Annexure A/10 dt. 28-9-93, and as such the applicant is the shortest JTO at Imphal. Keeping Longst stay JTOs at Imphal and picking-up the applicant who is now at Loktak/Bishnupur is the arbitrary and mala-fide act of the Respondent No. 2.

(15) That it is humbly submitted that if the applicant is transferred from Manipur Division to another Division like Nagaland Division, his chances of promoting to TES Group 'B' is bleak because officiating promotion is considered only from the same Division only as other JTOs from other Divisions/States do not come for officiating in the State of Manipur. It is also

... . submitted that the




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submitted that the transfer is nothing but done with mala-fide intention so that the applicant may not be promoted who has already qualified as submitted above. So far the applicant remain silent and followed the directives of the Respondent No. 2 as a Loyal soldier right from transferring JTO Lamphel to JTO Installations than to JTO South than to JTO /VIP than to the present ~~res~~ posting JTO Bishunpur/Loktak though the Respondent is not empowered to transfer the applicant beyond the Head quarter.

(16) That the home town of the applicant is at Khangabok Village under Thoubal District of Manipur. At present the applicant is occupying a quarter belonging to N.E.F.C., Loktak and his two school going children are reading in Central School and Bal Vidya Mandir at Loktak in Class - I and Nursery respectively. The Sessions of the said two Schools were already started in the month of April, 1986. At the present moment if the applicant is to be moved and joined at Wakha, the prospects of his children will be ruined or spoiled because there is no Central School at Wakha, the present transferred place in Nagaland. Moreover, there is no Central School at his home town at Khangabok or in Thoubal District. The Bal Vidya Mandir is run by the NEPC and as such except in the said Loktak area there is no other school anywhere, hence, it will create problem as the applicant has to leave the quarter at Loktak.

.... Annexures



9

-:(13):-

Annexures A/16 and A/17 are the copies of reading certificates issued by the respective Schools respectively.

(17) That because of this problem, the P & T Manual Volume IV, Para 37-A specifically described that :

"37-A. Transfers should generally be made in April of each year so that education of school going children of the staff is not dislocated. In emergent cases or cases of promotion this restriction will naturally not operate."

It is humbly submitted that neither of the two cases is/are applicable in the present case ~~xxxxxx~~ because the transfer order is not yet executed since 25-8-95 (nearly one year) till date and the case is also not a promotion. In this respect the Hon'ble Supreme observed which was reported in AIR 1986 Supreme Court 1955 that :

"5. It is no doubt true that if the power of transfer is abused, the exercise of the power is vitiated But it is one thing to say that an order of transfer which is not made in public interest but for collateral purposes and an altogether different


... thing to say

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-(14):-

thing to say that such an order
per se made in the exigencies of a
service, express or implied to the
disadvantage of the concerned
Government Servant."

" The Government is the best judge
to decide how to distribute and
utilise the services of its employees.
However this power must be exercised
honestly, bona fide and reasonably.
It should be exercised in public
interest. If the exercise of power
is based on extraneous considerations
or for achieving an alien purpose or
an oblique motive it would amount
to mala fide and colourable exercise
or power. Frequent transfers, without
sufficient reasons to justify such
transfers cannot but be held as mala
fide. A transfer is mala fide when
it is made not for professed purpose,
such as in normal course or in public
or administrative intereste or in the
exigencies of service but for other
purpose than is to accomodate another
person for undisclosed reasons. It is
the basic principle of rule of law
and good administration, that even
administrative actions should be just
and fair."

..... "6. One cannot


21

-(15):-

"6. One cannot but deprecate that frequent, unscheduled and unreasonable transfers can uproot a family cause irreparable harm to a Government servant and drive him to desperation. It disrupts the education of his children and leads to numerous other hardships and demoralisation. ~~Therefore it follows that the policy of transfer~~ complications and problems and result in hardship and demoralisation. It therefore follows that the policy of transfer should be reasonable and fair and should apply to everybody equally."

(18) That it is also submitted that the order is arbitrary and does not involve public issue. The order is not publicly made and has no public effect. It is done on the arbitrary act of the Respondent No. 2. It is just a punishment without any fault of the applicant. The applicant made a representation to the Respondent No. 1 and 2 on 14th June, 1996 but the Respondents No. 1 and 2 have not yet disposed the matter rather they are keeping the representation in cold storage.

Annexure A/18 is the copy of the said representation dt. 14-6-1996.

...(19) That



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-:(16):-

(19) That it is submitted that the transfer is against the directives of the Government of India's instructions mentioned in the representation Annexure A/18 above dated 14-6-1996 and also against the P & T Volume as submitted in paragraph No. 6(17) above. It is humbly submitted that the notification of the Government of India is a law vide Shanti Kumar Gangli V. State of Tripura, reported in (1982) 1 Gauhati Law Reports at page 211.

(20) That so far the applicant is not yet released and it is expected that he will be released any moment and as such status quo of the applicant is necessary to maintain.

(21) That being aggrieved by the order at Annexure A/15 aforesaid, the applicant begs to file this application under section 19 of the Administrative Tribunal Act, 1985 for redressal of his grievance.

~~(22)~~ 7. That the applicant declares that he has availed of all the remedies available to him under the relevant service rules. The applicant made a representation to the respondent No. 1 and 2 through proper channel on 14-6-1996 (Annexure A/18 for review or stay the said transfer order mainly on the grounds that :

- (a) the applicant is having two school going children and the school where his children are studying are not available at the present posting place and also at his home town;

... (b) the

[Signature]

23

-(17):-

(b) the transfer order is mala-fide and arbitrary and is against the directives of the Respondent No. 1 as the applicant is ~~the~~ not the longest stay JTO at Imphal;

(c) The transfer order is against the directives of the P & T Manual and also against the Govt. of India's decision which is a law.

Annexure A/18 is the said representation.


Inspite of the said representation, the applicant has not been intimated the fate of his representation, hence, the applicant presumes that his request is rejected.

The applicant declares that he has no other remedy except the one applied for herein.

8. That the applicant further declares that he had not previously filed any application, Writ petition or suit regarding the matter in respect of which this application has been made, before any court of law or any other authority or any other Bench of the Tribunal and nor any such application, Writ petition or suit is pending before any of them.

9. That in view of the facts mentioned in para 6 above the applicant prays for following relief(s) :-

... (a) to admit



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(18):-

- (a) to admit the application,
- (b) to call for the records,
- (c) to issue notice on the respondent
No. 2 why the transfer order No.
EST/JTO/TFR/96-97/39, dated 10-6-1996
Imphal 10-6-1996 (Annexure A/15)
should not be set aside by this Hon'ble
Trivunal,
- (d) upon hearing the parties to set aside
the impugned order (Annexure A/15) on
amongst other grounds given below, and
- (e) cost of the application or case.

G R O U N D S

- (I) FOR THAT transfer of the applicant to
a distance place who is a low paid employee
the power seems to be meant to be sparingly
exercised under some compelling exigencies
of particular situation and not as a matter
of routine. It if were literally exercised,
it will create tremendous problems and
difficulties in the way of the applicant
who is getting small pay;
- (II) FOR THAT transfer of the applicant cannot
be said routine ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~
and bona-fide but only colourable exercise;

.... (III) FOR THAT



- (III) FOR THAT the transfer order is mala-fide as it passed in order ~~not~~ to get promotion of the applicant in the higher post so that other juniors may get the higher post as the applicant is transferring to other Division outside Manipur Division;
- (IV) ~~FOR~~ THAT the transfer order is not involved public interest as it is passed with extraneous purposes in the garb of ostensible purpose of public interest;
- (V) ~~FOR~~ THAT transfer effects to a lowly paid employee and also without his consent and mala-fide intention;
- (VI) FOR THAT the transfer order is arbitrary, mala-fide and passed with ulterior motive against the directives of the Respondent No. 1 and also without any reasonable excuse;
- (VII) FOR THAT there is no reason for transferring the applicant to other places as his service at Loktak/Bishnupur or Manipur Division is very much required;
- (VIII) FOR THAT if the applicant is to proceed on transfer to a remote place like Wokha, he can proceed with ~~with~~ his whole family and his school going children will be dislocated and there shall be irreparable loss;

.... (IX) FOR THAT



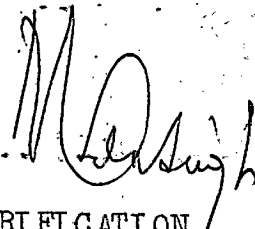
(IX) FOR THAT the transfer of the applicant is not on promotion or the present post is not abolished, or not ~~on~~ vice-versa transfer and still JTO is required at Loktak/Bishunpur.

10. That pending final decision on the application, the applicant seeks issue of the following interim order :

TO STAY the operation of the order at Annexure A-15 with a direction to the respondent No. 2 not to relieve the applicant. As submitted in para No. 6 and 9 above, the applicant is unable to move or to proceed on transfer, therefore, if the operation of the impugned order is not stayed as prayed for, the applicant shall suffer an irreparable loss which cannot be adequately compensated in money.

11. That the applicant is enclosing an Indian Postal Order of Rs. 50/- (Rupees fifty only) with this application under Rule No. 7 of the Central Administrative Tribunal (Procedure) Rules, 1987, issued by the Post Office in favour of the Registrar/Deputy Registrar, Central Administrative Tribunal, Guwahati Bench, Guwahati payable at the Post Office at Guwahati.

Signature of the applicant



... VERIFICATION



27
-:(21):-

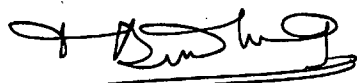
V E R I F I C A T I O N

I, Shri M. Samarendra Singh, son of Moirangthem Megho Singh, aged about 42 years, working as JTO in the Office of the Telecommunication Department, Manipur Division, Loktak/Bishunpur, Manipur, do hereby verify that the contents of para No. 1 to 8 and 11 are true to my personal knowledge as well as from records and para No. 9 and 10 are believe to be true on legal advice and that I have not suppressed any material fact.

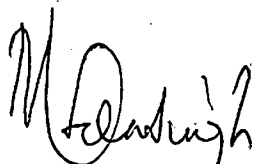
Date : 25-6-1996

Place Imphal.

Drafted and settled by :



Advocate

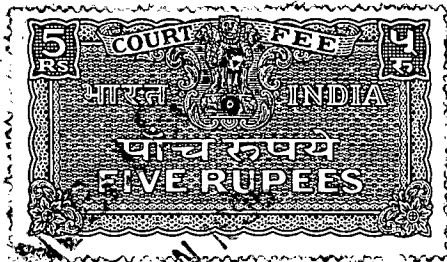
Signature of the applicant


(M. Samarendra Singh)

To

The Registrar,
Central Administrative Tribunal,
Guwahati Bench, Guwahati.





- 22 - 28

25 JUN 1996

A F F I D A V I T

I, Shri Moirangthem Samarendra Singh,
aged about 42 years, son of late Moirangthem Megho Singh,
occupation employee of Telecommunication Department,
resident of Khangabok Awang Leikai, Part - I, P.S. Thoubal,
Manipur, do hereby solemnly affirm and say as follows :

1. That I am the applicant in the accompanying petition and as such I am fully acquainted myself with the facts of the case. This is true to my knowledge.
2. That the statements in paragraph No. 1 to 8 except the legal points of the accompanying petition are true to my knowledge and true to the records and the legal points are my humble submissions.
3. That the Annexures A-1 to A 18 are from my personnel records and official records received in my official capacity and also from official records. This is true to my knowledge.

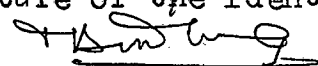
Verified that the contents of para
No. 1 to 3 above are true to my knowledge and believe
and humble submissions.

Imphal, the
25th June, 1996

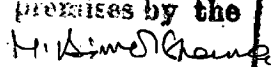
Signature of the deponent

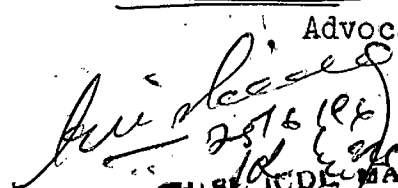
By 
Advocate

Signature of the identifier

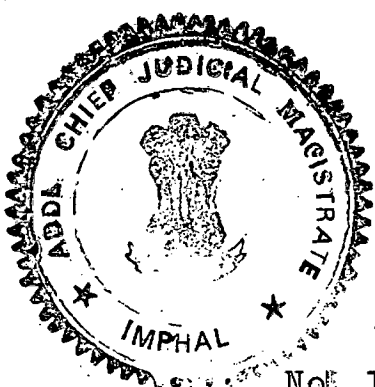


Advocate

I solemnly affirm before me on 25-6-96
at 11.30 a.m. in the Court premises by the
deponent who is 
Advocate. The deponent seems to
understand the contents of the affidavit
being read over.


25/6/96
H. S. MOHANTA
CHIEF JUDGE
IMPHAL, MANIPUR

P. no. Addl. esm. 90plal
96/1440
Date 25/6/96
Court Fee
Rs 5/-
KKS.



-23-

Annexure A/1
2

INDIAN POSTS AND TELEGRAPH DEPARTMENT

OFFICE OF THE DIVISIONAL ENGINEER TELEGRAPH : NAGALAND:

H.Q. DIMAPUR - 797112

No. E-101/P.I/95

Dated at Dimapur the
2nd February '77

On successful completion of training the following
Telephone Inspector Trainees are hereby appointed as
Temporary Telephone Inspectors in the scale of pay of
Rs. 380-12-500-EB-15-560/- P.M. plus usual allowances
under circle service conditions. The date of appointment,
are indicated against each. The post are renewal under
under Circle Office Memo No. E-171/DMP dt. 19.8.76 and ag
against the posts created vide C.O., SH. EST. BE-16/NGL,
dt. 11.6.76.

<u>Sl No.</u>	<u>Names</u>	<u>Date of appointment</u>
1.	Shri Ashok Kanti Gupata	9.4.74
2.	" D. Chakravorty	9.4.74
3.	" Bapu Ram Boro	16.7.74
4.	" A. Deka Baruah	16.7.74
5.	" Pradip Kanti Dev	11.7.75
6.	" Hari Pada Majumdar	11.7.75
7.	" H.R. Bhattacharjee	11.7.75
8.	" Jyotirmoy Das	11.7.75
9.	" Subhash Ch. Paul	17.7.75
10.	" M Samarendra Singh	12.4.76

The terms of the appointment are
as follows :-

.... 1. The Post

True copy
A/150/95

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- 24 -

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-:(2):-

1. The Post are temporary but are likely to be made permanent.
2. The appointments may be terminated at any time with One months notice to be given by the appointing authority without assigning any reason.
3. The appointment carries with it the liability to serve in any part of India. The appointees will also be liable for field service within India in times of War or National Emergency.
4. The service of conditions will be governed by the relevant rules and orders, inforce from time to time.

Sd/- 2/2/77

Divisional Engineer Telegraphs

Nagaland

N.Q. Dimapur - 797112

Copy to :-

1. The G.M. Telecom.N.E. Circle Shillong for information.
2. The C.A.O. O/O the G.M.T.N.E. Circle Shillong.
3. The S.D.O. Telegraphs, Kohima for information.
4. to 12. The ~~Personal Files~~ Official Concerned.
- 13 to 21. The Personal Files.
22. The Junior Accountant. O/O the D.E.T. Nagaland, Dimapur.
23. Office copy

Sd/- 2/2/77

Divisional Engineer Telegraphs Nagaland
H.Q. Dimapur - 797112

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- 28 =

Amey H/231

DEPARTMENT OF TELECOMMUNICATION
OFFICE OF THE GENERAL MANAGER TELECOM.N.E.CIRCLE
SHILLONG -793 001

No. STB-1/JE-Trainee/Posting Dated at Shillong,
the 15th Oct., 1985

The G.M.T. N.E. Telecom. Circle Shillong is
pleased to issue the following orders of posting of
J.E. Trainees of Batch No. 135(STR) Kalyani and Batch
No. 10(STR) Jabalpur on completion of their prescribed
J.E. Training.

1. - - - - -

tp

5. - - - - -

6. Shri M.S. Singh, under D.M.T. Gauhati.

7. - - - - -

8. - - - - -

The posting order in respect of the J.E. trainees
from serial 4 to 8 above are on temporary basis and will
be revised in due course.

Sd/-
(S. RAMANUJAM)
ASSTT. GENERAL MANAGER (STAFF)
O/O THE GENERAL MANAGER TELECOM N.E. CIRCLE
SHILLONG

Copy for information and necessary action to :

- - - - -

- - - - -

10. Trainees concerned.

11. Spare

To
Shri M.S. Singh
J.E. Trainee
C/o G.M.T. Telecom
Trg. Centre,
Jabalpur.

Sd/- illegible 15/10/85
FOR GENERAL MANAGER TELECOM N.E. CIRCLE
SHILLONG - 793 001

True copy
[Signature]

NS

- 26 - Annexure A/33

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE GENERAL MANAGER, TELECOM, TRAINING
CENTRE, JABALPUR- 482006

No. TC/TI/3510/JE M010

Dated at Jabalpur,
the 18/10/85.

Sub :- Strike off Junior Engineer
Trainees of Category-II Strowger
Modular Course Batch No. M010.

Ref :- GM TTC Jabalpur Letter No. TC/TO/
1002/84/86 dt. 19/12/84.

On successful completion of 37 weeks
theoretical training in strowager Modular Course at
Telecom. Training Centre, Jabalpur-482006 the Junior
Engineer trainees of Category-II Strowger Modular
Course Batch No. M010 as shown in the annexure 'A'
are hereby struck off with effect from the afternoon
of 18/10/85, with orders to report to the officers
concerned mentioned against their names.

Encl: Annexure 'A'

(G.M. PRASAD)
Accounts Officer (Trg.)
for G.M.T.T.C. Jabalpur-482006.

Copy to :-

- 2 - - - - -
- - - - -

.... ANNEXURE 'A'

7/10/85
7/10/85

MS

-(2):-

A N N E X U R E 'A'

No. TC/TI/3510/JE Batch No. MO-10

Dated at Jabalpur
the 18/10/85.

Staff order in r/o J.E. Trainees of Category

-II (Strowgor) Batch No. MO-10.

Unit of Rectt : N.E. Circle

22. B.C. Baishya	A.E.Carrier Tezpur	D.M.T. Gauhati
23.M. Samarendra Singh	SDOT Imphal	-do-
24.T.K. Bose	JE Phones Gossalgaon	AE OSD Gauhati
25. Binay Bhusan Malakar	SDOT Agartala	Director Telecom Agartala

Sd/-
(G.M. PRASAD)
ACCOUNTS OFFICER (TRG)
FOR G.M. TTC., JABALPUR-6

Sd/- illegible 17/10

MD

- 28 - Annexure A/3(a) 34

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE DIRECTOR TELECOM, IMPHAL.

No.Est/JE-1/Trg/374 Dated at Imphal, the 19th Nov '85

In pursuance of G.M.T. Shillong No. STB-1/JE-
Training/Posting dated 15.10.85, Shri M. Samarendra Singh,
J.E. Trainee on ~~xxxxxxxxxxxx~~ successful completion
of J.E. training is hereby transferred and posted under
D.M.T. Gauhati. The official stands struck off from the
forenoon of 19/10/85 from the strength of this Telecom
Area.

Sd/-
Asstt. Director Telecom
for Director Telecom, Imphal -
795001

Copy to :

- 1) - - - - -
- 3) - - - - -
- 4) The Official concerned.
- 5) - - - - -
- 7) - - - - -

Sd/-

For Director Telecom
Imphal- 795 001

7/c
7/10/85

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Department of Telecommunication
Office of the District Manager Telephones, Guwahati.

No. DMT/EST-2/T&P/L/85-86/10
dated at GH, 29-10-85

In pursuance of G.M.T.N.E.Circle, Shillong's
No. STB-1/J.E. Trainee/posting dt. 15-10-85, Shri
M. Samarendra Singh, J.E. Trainee who has reported to
this District on 28-10-85 (F/N) after successful com-
pletion of practical training is hereby posted as
J.E. Grievance Cell attached to the Commercial Officer,
O/o the D.M.T, Guwahati.

Sd/-

(B.K. Deori)
Divisional Engineer (P&A)
O/o the D.M.T. GH.

Copy to :-

1. - - - - -
2. - - - - -
3. - - - - -
4. Sri M.S. Singh, J.E. O/o the D.M.T. Guwahati.
- - - - -
10. - - - - -

Sd/-
P.A. (E)

O/o the D.M.T/GH

Tk
ms

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Measure #/53

INDIAN TELECOMMUNICATIONS DEPARTMENT
OF THE GENERAL MANAGER. TELECOM. N.E. TELECOM
CIRCLE: SHILLONG-793001.

No. STB/ES-3/Tennure/VII Dt. at Shillong the 2/1/'86.

The G.M.T. Shillong is pleased to issue the following orders of transfer and posting of Junior Engineers to have immediate effect :

1) Shri Gauranga Sen J.E. Aizawl on completion of his tenure is transferred and posted to Silchar vice Shri N.P. Dutta J.E. Silchar who stands transferred and posted to Aizawl as a substitute of Shri Gauranga Sen.

The transfer of Shri N.P. Dutta J.E. is in partial modification of this office memo of even no. dt. 8-7-85.

Shri N.P. Dutta will move first.

2) Shri Jitendra Chandra Das J.E. Imphal under Director Imphal on completion of his tenure is transferred and posted to Agartala under Director Telecom Agartala vice a longest staying J.E. at Agartala who stands transferred and posted to Imphal as a substitute of Shri Jitendra Ch. Das.

The Director Telecom. Agartala will release the longest staying J.E. at Agartala first under intimation to this office.

...3..Shri...(2).

TE
A. K. Das

M

- 31 -

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-:(2):-

3) Shri S.K. Mukherjee J.E. Imphal on completion of his tenure is transferred and posted to Gauhati under D.M.T. Gauhati vice Shri M. Samarendra Singh J.E. under D.M.T. Gauhati who stands transferred and posted to Imphal as a substitute of Shri S.R. Mukherjee.

Shri M.S. Sing will move first.

4) Shri A.R. Biswas J.E. Imphal under Director Telecom Imphal on completion of his tenure is transferred and posted to Shillong under D.E. Phones Shillong vice a longest staying J.E. at Shillong under D.E.P. Shillong who stands transferred and posted to Imphal as a substitute of Shri A.R. Biswas.

The D.E.P. Shillong will release first the longest staying J.E. under intimation to this Office.

The concerned Director Telecom/D.M.T. Gauhati/D.Es will release the officials as per aforesaid orders immediately under intimation to this office.

Sd/-
(S. Ramanujam)
Asstt. General Manager Telecom
(SF) For General Manager Telecom
Shillong.

Copy for information and necessary action to :-

1. The Director Telecom Shillong/Dibrugarh/Imphal Agatala.
- 2) The D.M.T. Gauhati.
- 3) The D.E.T. Shillong/Aizawl/Shillong
- 4) Official concerned
- 5) DEP-Shillong.

(B. Chakraborty)
Asstt. Director Telecom (PM)
For General Manager Telecom, Shillong.

MB

- 32 - Amman A/b 8

DEPARTMENT OF THE TELECOMMUNICATIONS
OFFICE OF THE DIRECTOR TELECOMMUNICATIONS
MANIPUR:IMPHAL-795001

No. Est/jE-2/TFR/215

Dated at Imphal, the
3rd Feb. '86.

In pursuance of G.M.T. Shillong order contained in STB/JE-3/Tenure/VII dated Shillong 2-1-86 Shri M. Somarendra Singh J.K. on transfer from Gauhati Telephone District has joined into this Area on the forenoon of 27-1-86 vice Shri S.R. Mukherjee, J.E.(Phones), Lamphel pat, transferred and posted under D.M.T. Gauhati and has been posted as J.E.(Phones), Lamphelpat.

2) Shri S.R. Mukherjee, J.E.(Phones) Lamphelpar is hereby released from the strenght of this Area w.e.f. the A/N of 5-2-86 with an instruction to report for duty under D.M.T. Gauhati.

Shri S.R. Mukherjee J.E. may apply for TA/DA advances, if required.

Sd/-
(J.N. LAL)
Asstt. Director Telecom
for Director Telecom Imphal-795001.

Copy to :-

- 1) - - - - -
- 2-3) - - - - -
- 4-5) - - - - -
- 6 to 9) - - - - -
- 10) Shri M. Somarendra Singh

A sstt. Director Telecom
For Director Telecom Imphal-795001.

7/c
9/2/86

MS

- 33- A measure #79

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE DY. GENERAL MANAGER, TELECOM/IMPHAL

No. EST/JTO-2/TFR/126 Dtd. at Imphal 12.4.90.

The following transfer and posting orders are issued in the cadre of JTOs in the interest of service with immediate effect.

- 1) Shri M. Somarendra Singh, JTO Lamphel Exchange is posted as JTO Installation and Maintenance of C-DOT Exchange. He will work at Tamenglong with Shri Das, JTO, Task Force at Imphal and will learn the Installation of C-DOT Exchanges.
- 2) Shri D. Purkayastha, JTO cable is posted as JTO Lamphel vice Shri M. Somarendra Singh. Shri D. Purkayastha will deal out-door & In-door plant of Lamphel Exchange.

Shri D. Purkayastha will joint first as JTO Lamphel.
- 3) Shri R.K. Debanath, JTO will work as JTO (Cable) under SDOP/Imphal vice Shri Purkayastha, JTO cable transferred.

... The official. (2).

7/e
7/5/90

MS

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-:(2):-

The official at Serial No.1 may
apply for TA/DA advance if required.

Sd/-
Officer Engineering
for Dy. General Manager, Telecom.
Imphal-795001.

Copy to :-

- 1-3) Officer Engineering,
Phones/Telegraphs/PRX, Imphal.
- 4-6) Official concerned.
- 7-9) Personal file.
- 10-) Accounts Section.
- 11) Spare.

For Dy. General Manager,
Telecom. Imphal-795001.

148

352

Annexure A/8

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE TELECOM DISTRICT MANAGER, IMPHAL.

No. Est/JTO-2/TFR/183 Dtd. at Imphal, 22.6.92.

The Telecom District Manager, Imphal is pleased to issue the following transfer and posting order in the cadre of JTO in the interest of Public Service.

- 1) Sri P. Brajabidhu Singh, JTO (South) under SDOP/Imphal is transferred and posted under SDOT/Imphal vice Shri M. Somarendra Singh, JTO.
- 2) Sri M. Somarendra Singh, JTO under SDOT/Imphal is transferred and posted as JTO(South) under SDOP/Imphal vice Shri P.B. Singh, JTO South Transferred.

Sd/-
(C.K. Deb)
Asstt. Director Telecom.
For Telecom District Manager, Imphal.

Copy to :-

- 1) The SDOP/Imphal. He is requested to release Shri P.B. Singh, JTO(South) as soon as Sri M. Somarendra Singh, JTO is reported for duty.

... 2)... The..(2)..

T/c
+ 15/8/92

118

-(2):-

- 2) The ADOT/Imphal. He is requested to release Shri M. Somarendra Singh, JTO immediately.
- 3) - - - - -
- 4) - - - - -
- 5) - - - - -
- 6) P/F of Sri M. Somarendra Singh JTO.
- 7- 8) - - - - -
- 9) - - - - -

Sd/-

For Relecom District Manager,
Imphal- 795001.

112

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DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE TELECOM DISTRICT MANAGER, IMPHAL

No. Est/JTO/TFR/

Dtd. at Imphal, 29.8.92.

The Telecom District Manager, Imphal is pleased to issue transfer and posting order of the following JTOs in the interest of public Service with immediate effect.

- 1) Shri M. Somerendra Singh, JTO C-DOT under SDOT/Imphal is transferred and posted as JTO (VIP) under SDOP/Imphal.
- 2) Shri N.T. Singh, JTO (VIP) under SDOP/Imphal is transferred and posted as JTO E-10B under D.E. E-10B/Imphal.

Sd/-
(C.K. DEB)
Asstt. Director Telecom.
For Telecom District Manager, Imphal.

Copy to :-

1. - - - - -
2. - - - - -
3. - - - - -
4. - - - - -
5. - - - - -
- 6-7. Personal file of the Official M. Somerendra Singh.

For Telecom District Manager,
Imphal- 795001.

File
8/9

File

— 38 —

²⁴
Amexure A/10

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE TELECOM DISTRICT MANAGER, IMPHAL

No. Est/JTO-2/TER/253 Dtd. at Imphal, 28.9.93

The Telecom District Manager, Imphal is pleased to issue the following transfer and posting order of JTOs in the units noted against each in the interest of service with immediate effect.

Charge report may be sent to all concerned.

1. - - - - -
2. Shri H. Sumerendra Singh JTO (VIP) under ~~SDOP~~/ Imphal is transferred and posted at Bishunupur under SDOT/Imphal with Headquarter at Bishunupur vice Shri S. Dholendra Singh, JTO, Bishunupur.
3. - - - - -
- to
10. - - - - -

Sl. No. 1, 2, 3 & 4 may apply TA/DA, if necessary.

(K.G. Singh)
Asstt. Director Telecom
For Telecom District Manager, Imphal.

contd...3..

TK
20/9/93

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DEPARTMENT OF TELECOMMUNICATION
OFFICE OF THE TELECOM DISTRICT MANAGER, IMPHAL-795001.

No. E-5/Group 'B'/95-96/175

Dated at Imphal
the 4th Oct. '95.

To,

Shri G.N. Ghyne

Assistant General Manager (A)

O/O the C.G.M., N.E. Telecom Circle

Shillong- 793 001-

Sub :- Option for officiating
in TES Group 'B' from JTOs.

Kindly find enclosed herewith an application
received from the JTOs are given below. They have
option for TES Group 'B' from JTOs.

1. Shri P.B. Singh, JTO
2. Shri M. Samarendra Singh, JTO ✓
3. Shri P. Banerjee JTO
4. Shri M. Deba Singh JTO
5. Shri Keneth Chingtham JTO
6. Shri Homeshwar Singh JTO
7. Shri S. Dhanabir Singh, JTO
8. Shri Th. Sharatchand Singh, JTO
9. Shri Y. Bijoychandra Singh JTO
10. S. Dholendra Singh JTO
11. O.J. Singh, JTO
12. Ch. Jiten Singh, JTO

The above applications are forearded for favour
of your kind information and necessary action of
your end.

Encl: A/A

Sd/-
(A.P. MAJHI)
For Telecom Dist. Manager Imphal-795001.

TIC
and

MS

— 40 — Amesur 8/12 '46

DEPARTMENT OF TELECOMMUNICATION
OFFICE OF THE CHIEF GENERAL MANAGER, TELECOM,
N.E. CIRCLE, SHILLONG-793 001

No. STB/TE-11/Pt-III/80 Dated at Shillong the
22nd March, '96.

The Chief General Manager, Telecom, N.E.
Circle, Shillong is pleased to issue the following
cadres for local officiating promotions and
posting in the cadre of TES Group 'B' to have
immediate effect.

Sl.No.	Name	Present place of posting	Post of officiating arrangement.
1.	Shri S.Bhattacharjee	JTO Roing	SDE(Group)Roing
2.	" S.N. Shah	JTO Tawang	SDE(Group)Tawang
3.	" P.B.Singh	JTO Imphal	SDE(Group)Imphal
4.	% S.K. Bhowmick	JTO Dimapur	SDOT(Dimapur vide Shri S.K. Mitra

The Officiating promotion of the above men-
tioned officials is purely temporary and will stand
automatically terminated and reverted on expiry of
180 days or on joining of regular incumbants of the
posts on specific orders issued by the officer or
any competent authority whichever is earlier. The

... The...(2).

7/10
7/15/19

1/2

- 4/-

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-:(2):-

The order of officiating promotions will not bestow any right on the officials for regular absorption to the cadre of TE Group 'B' post nor the service so, rendered by the officials in the officiating capacity will count for the purpose or seniority etc. in the grade.

Necessary chage report may be sent to all concerned.

Sd/-

(G.N. Chyne)
Asstt. General Manager, Telecom
(Ad. N)
O/O the Chief General Manager Telecom,
N.E. Circle Shillong-793 001.

Copy to :-

1. The Director General Telecom (STG-II)
T.C. HQ, Sanchar Bhawan, New Delhi.
2. Senior P.A. to CGMT/GM(D), Circle Officer Shillong
3. DGM(A)/DGM(P)/DFA/AGM(E)/DE Inst/V.O./C.O. Shillong
4. TDM Itanagar/Dimapur/Imphal.
5. A.O.(A&P)/A.O.(A) C-O Shillong
6. P/F of officials
7. Hindi Translator
8. Spare.

Sd/-
for Chief General Manager
N.E. Telecom Circle
Shillong- 793 001.

[Signature]

— 42 — Annexure A/138

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE CHIEF GENERAL MANAGER, TELECOM,
N.E. CIRCLE, SHILLONG- 795001.

No. STB/ES-3/Tenure/XI Dated at Shillong,
the 25.8.95.

The Chief General Manager, N.E. Telecom.
Circle is pleased to issue the following order
of transfer and posting in the Cadre of J.T.O.
to have immediate effect :-

1. Shri B.C. Paul JTO/Kohima is now trans-
ferred and posted under TDM/Agartala vice longest
stay JTO at the station who stands transferred
and posted to Aizawl.
2. Shri M.R. Dutta, JTO/Aizawl is now
transferred and posted under TDM/Agartala vice
second longest stay JTO at the Station who stands
transferred and posted to Aizawl.
3. Shri B.C. Das, JTO/Saiha is now trans-
ferred and posted under TDM/Agartala vice three
longest stay at the Station who stands trans-
ferred and posted to Saiha.
4. Shri B.B. Malakar, JTO/Zunheboto is now
transferred and posted under TDM/Agartala vice
fourth longest stay JTO at the Station who stands
transferred and posted to Zunheboto.

...5.. Shri (2)...

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7/8/95

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-(2):-

5. Shri D.K. Dev JTO/Kohima is now transferred and posted under TDM/Agartala vide fifth longest JTO at the station who stands transferred and posted to Kohima.
6. Shri M.N. Mazumdar, JTO/Kohima is now transferred and posted under TDM/Agartala vide sixth longest stay JTO at the station who stands transferred and posted to Kohima.
7. Shri Rashid Ahmed Shah, JTO/Wokha is now transferred and posted under TDM/IP vice first longest JTO at the Station who stands transferred and posted to Wokha.
8. Shri A.K. Sen, JTO/Aizawl is now transferred and posted under ~~A.K. Sen~~, TDM/Itanagar and posted to Aizawl.
9. Shri D. Laskar, JTO/Tura is transferred and posted under TDM/Tura is transferred and posted under TDM/Agartala. Substituted to be posted by TDM/Shillong.

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-(3):-

Copy of release order may be sent to
this office for records.

Sd/-
(SH. MAJAW)
AGMT (Admn)
for Chief General Manager Telecom,
N.E. Circle Shillong.

Copy to :-

- 1-6 TDM/AGT/AZL/DMP/DP/ITN/SH
7. A.O.(T) C.O. Shillong
8. Circle Secretary JETA(I)
9. A.E. E-10B Shillong-793001.

Sd/-
A.E. Telecom (HRD)
O/o the C.G.M.T.N.E.Circle
Shillong- 793001.



— 45 — Annexure A/13(A)

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE CHIEF GENERAL MANAGER: NE CIRCLE
SHILLONG- 793 001

No. STB/ES-3/Tenure/XI

Dated at Shillong,
the 9th Feb. '96.

To,

The TDM/SH/AZL/AGT/DMP/IMP/ITN

Sub:- Tenure transfer Case
of JTOs.

Ref :- STB/ES-3/Tenure/XI, Dtd.
at Shillong, the 25th
August, '95.

With reference to this office Memo of even
No. dt. 25.8.95 in which the tenure transfer
order of the followings JTOs was issued, kindly
confirm whether the officials have been trans-
ferred and if so date of their release of the
official may be intimated to this office at the
early date.

Sl.No.	Name of JTOs	Present Station of working
1.	Shri B.C. Paul	JTO Kohima
2.	" M.R. Dutta	JTO Aizawl
3.	" B.C. Das	JTO Saiha
4.	" B.B. Malaker	JTO Zuhneboto

...5....(2)...

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4/12/96

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<u>Sl.No.</u>	<u>Name of JTOs</u>	<u>Present station of working</u>
5.	Shri D.K. Deb	JTO Kohima
6.	" M.N. Mazumdar	JTO Kohima
7.	" Rashid Ahmed Shah	JTO Wokha
8.	" A.K. Sen	JTO Aizawl
9.	" D. Laskar	JTO Tura

Sd/-
(AB Engineer)
Asstt. Director, Telecom (HRD)
for Chief General Manager, Telecom
N.E.Circle, Shillong-793 001.

—

[Signature]

- 47- Ameame 01/4/96

OFFICE OF THE CHIEF GENERAL MANAGER,
TELECOM N.E. CIRCLE, SHILLONG - 793 001

No. STB/ES-3/Tenure/258 Dated at Shillong the 31-5-96

To
The T.D.M., Imphal.

Sub:- Tenure Transfer of JTOs

Reference :- EST/JTO/TFR/96-97/36
Dtd. at Imphal, the 11.4.96

Kindly refer to the letter dated above. The undersigned has been directed to inform you that as on the date reliever of Shri Rashid Ahmed Shah, J.T.O. working now in Wokha should be relieved by the longest stay J.T.O. in Imphal positively before 07.06.96.

Sd/-
(G.N. Chyne)
Assistant General Manager, Telecom(A),
O/o the C.G.M.T., N.E. Telecom Circle,
Shillong -1

TR
8/06/96

MR

- 48 - Annexure - HP 15-54

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE TELECOM DISTRICT MANAGER, IMPHAL

No. EST/JTO/TFR/96-97/39 Dtd. 10.6.96.

In pursuance of Chief General Manager,
N.E. Telecom Circle, Shillong letter No. STB/ES-3/
Tenure/XI dtd. at Shillong 6-6-96, Shri M. Somarendra
Singh, JTO working under SDOT/Imphal is transferred
posted at Wokha to relieve Md. Rashid Ahmed Shah
JTO Wokha under TDM, Dimapur with immediate effect.

Necessary TA/DA may be applied
if required.

Sd/-
Telecom District Manager,
Imphal- 795001.

Copy to :-

1. The Chief General Manager, N.E. Telecom Circle, Shillong.
2. The Asstt. General Manager Telecom (A), N.E. Circle, Shillong.
O/O CGMT/Shillong.
3. The Telecom District Manager, Dimapur.
4. The A.O.(TA) O/O CGMT, Shillong.
5. The official concerned.

Shri M. Somarendra Singh JTO
O/O the SDOT/Imphal.

... 6...(2).

Attest
J Som Singh
JTO Wokha



— 49 —

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6. The Accounts Officer (Cash)
O/O TDM/Imphal.
7. The SDOT/Imphal. He is requested
to release the Official immediately.
8. The P/F of the official.
9. The Circle Secretary, JTOA(I)
MIS) Section O/O the TDM/Shillong.
10. Spare.

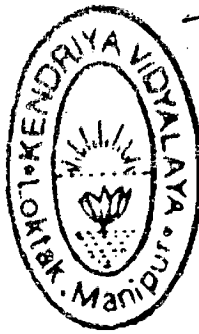
Sd/-

(DAVID HASSA)
Asstt. Director Telecom,
for Telecom District Manager,
Imphal- 795001.

AS

Phone : { 81 : local)
801 : P & T }

Kendriya Vidyalaya Loktak
Loktak Hydro Electric Project
Vidyut Vihar, Kom-Koirup
Manipur-795124



50- Amedure 8/16
८१ स्थानीय
इ.स. २०८ डाक-तार विभाग

केन्द्रीय विद्यालय लोकताक
लोकताक जल विद्युत परियोजना
विद्युत-विहार, कोम-कौरुप
मणिपुर-७९५१२४

Ref. No./संदर्भ संख्या-101/KV-LOK/96-97//1/Date/तिथि....17.6.96.....

READING CERTIFICATE

Certified that Master M.Narendra Singh
S/O Shri M.Samarendra Singh is a bonafide
student of this Vidyalaya reading in class
I-B during the academic session 1996-97.

His date of birth as per our office
records is 26-10-90(Twenty sixth October
N.H.Ninety).

Tcho.
17/6/96
(T.K.JHA)
PRINCIPAL.

SD/JALAL

Principal/प्रधानाचार्य
Kendriya Vidyalaya Loktak H.E. Project
केन्द्रीय विद्यालय लोकताक प्रक. वि. परियोजना
मणिपुर MANIPUR)-795124

U.C
8/10/96

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-57- Annexure A/17
17

OFFICE OF THE BAL VIDYA MANDIR
LOKTAK HE PROJECT, MANIPUR

NO.LOK/BVM/Vol-IV/96/5904

Dated: 17.06.96

READING CERTIFICATE

Certified that Master Moirangthem Dherendra Singh
S/O Shri Moirangthem Samarendra Singh is a bonafide student
of Bal Vidya Mandir, Loktak HE Project, Manipur reading in
Nursery Class during the academic session 1996-97.

His date of birth as per our office record is
08.04.93 (Eight April nineteen hundred nintythree)

17/6/96
(Mrs Ch. Narayani Devi)
Incharge- Bal Vidya Mandir
Loktak HE Project, Manipur

TK
Done

MR

- 57 - Amare- #18

To

1. The Chief General Manager,
North-Eastern Circle,
Shillong.
2. The Telecom District Manager,
Imphal.

Imphal, the 14th June, 1996

THROUGH PROPER CHANNEL

Sub : Transfer of Shri M. Samarendra Singh
J.T.O., Bishnupur/Loktak, Manipur
to Wakha, Nagaland.

Representationalist : Shri M. Samarendra Singh,
J.T.O., Bishnupur/Loktak,
Manipur, resident of
Khangabok Awang, Part-I,
Thoubal District, Manipur.

Sir(s),

I have the honour to lay the followings for
your kind sympathetic and favourable action so that my
transfer order from Loktak, Manipur State to Wakha, Nagaland
State may be revoked.

1. That I joined in the Telecom Department as Phone
Inspector on 12th April, 1976 at Kohima, Nagaland State and
stayed for about two years. Then I was promoted to J.T.O.
and joined on 28th October, 1985 at Gauhati, Assam after
serving as Phone Inspector at Imphal. Thereafter, I was
transferred to Lamphel, Manipur Division. After serving
for about 4 years, I was transferred as J.T.O. Installation
and Maintenance of C-Dot Exchanges at Tamenglong and entire
Manipur.

.... 2. That

RECEIVED
14 JUN 1996
R.R. No. 5498
14/6/96

Recd at the Su
R.L. 332
16/6/96
T. Ho, Im

7/1
D. M. S.
M. S.

- 53 - 9

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2. That thereafter I was transferred to as J.T.O., South but it was cancelled and later again transferred as J.T.O., WIP, Imphal and remain as JTO(VIP) for about 1 year then I have been transferred at the present J.T.O., Bishunpur/Loktak, in Bishunpur District of Manipur and I joined in the month of December, 1993 and as such I have been always on the run whereas many JTOs of this Imphal Division or Manipur Division have not been disturbed for many years together.

3. That my home town is at Khangabok Village under Thoubal District of Manipur State. At present I am occupying a quarter belonging to N.H.P.C., Loktak and my two School going children are reading in Central School and Bal Vidya Mandir at Loktak in Class-I and Nursery respectively. The Sessions of the said two Schools were already started in the month of April, 1996. At the present moment if I am to be moved and joined at Wakha, the prospects of my children will be ruined or spoiled because there is no Central School at Wakha, the present transferred place in Nagaland. Moreover, there is no Central School at my home town at Khangabok or in Thoubal District. The Bal Vidya Mandir is run by the NHPC and as such except in the said Loktak area there is no other School any-where, hence, it will create problem as I have to leave the quarter at Loktak.

Because of this problem, the P & T Manual Volume IV, Para 37-A specifically described that :

"37-A, Transfers should generally be made in April of each year so that education of School going children of the staff is not dislocated. In emergent cases or cases of promotion this restriction will naturally not operate."

... I humbly



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I humbly submit that neither of the two cases is/are applicable here and as such as I submitted above that if I am to be transferred at this present moment my school going children will be dislocated.

4. That the order of the Chief General Manager Telecom Shillong vide letter No. STB/ES-3/Tenure/258, dated, Shillong, the 31st May, 1996 specifically mentioned that "Shri Rashid Ahmad Shah JTO Working now in Wakha should be relieved by the Longest Stay JTO in Imphal."

I am not the longest stay JTO at Imphal and at present I am the JTO, Bishunpur/Loktak and as such according to the said order, I should not be transferred. I also submit that as a JTO (VIP) I was only for about 1 year at Imphal that too in fact it was only for 11 months.

5. That I am forced to say that in your Order I am pick-up for transfer outside Division is only that I am the Seniormost JTO in the Manipur Division though the CJMT, Shillong specifically stated that the 'Longest Stay at Imphal' should be transfer to relieve the said Ahmad. If you were to take such decision against the order of the CJMT, Shillong that the seniormost JTO in the Manipur Division should go outside Manipur Division as transfer why ~~you~~ I was transferred from JTO (VIP), ~~from~~ Imphal to as JTO Loktak/Bishunpur only two years around ago, hence, I felt that the present transfer is nothing but an arbitrary act as well as mala-fide in order to harass me without my fault.

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6% That it is a fact that the tenure transfer order of Md. Rashid Ahmad Shah issued about 5 months ago, however, it was not implemented because if it was implemented then Longest Stay as JTO at Imphal as well as the Senior most in Manipur Division would have been affected. After the Senior most JTO in the Division has been officiated to the next higher post only ~~xxxxxxxxxxxx~~ recently, the transfer order is implemented by picking-up me only. Still I am not the Longest Stay JTO in Imphal and still there are many Longest Stay JTOs at Imphal. Picking-up me is nothing but purely an arbitrary and mala-fide act.

7% I may remind one incident that while I was in Nagaland (Kohima) in or about 31st August, 1978, I was about to be killed by some of the localities at Kohima for a small matter of disconnection of telephone for non-payment of bill. I was miraculously saved but I was brutally beaten. In the said night I was Hospitalised for injury on the head, body etc. guarded by the Department. After three nights I was secretly show-off upto Mao, a town in Manipur State, by the Telecom Department because the matter was communalized and it was widely published in the newspapers and the localities and other neighbourings hatched a plan to kill me. The matter was brought to the knowledge of the Circle Office at Shillong and after due consideration I was transferred to Imphal because it was not safe to staying anywhere in Nagaland State as the matter was published and marked me. Still I and my family have hysteria hearing the word 'Nagaland' and as such I should not be transfer in Nagaland.

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8. I may draw your kind attention to the following Government of India's decision vide Govt. of India Ministry of Home Affairs in consultation with the Ministry of Law issued under Memo No. 75/55 Ests(A), dated the 24th March, 1965 (sic) (1955) in respect of transfer that :

"Art. 26.3(11) Other things being equal, the State will get better service from a willing from a willing servant than from one who is compelled to carry out the duties of a post against his wishes. So long as the reluctance of an officer is not based on unreasonable or unworthy considerations, public interest would generally be better served by tacking some one who is not so reluctant.

(iv) While the public interest is served, the legitimate claims and expectations of individual employees should not be ignored. It is necessary to make sure, not only, that there is no loss of pay but also that the employee's reasonable expectations in the original service or department are preserved, or equal prospects to which the employee is transferred. At the same time, the interest of members of the service or Department to which the transfer are made should also be considered.

(v) A transfer to a distance place involves movement not only of the officer concerned but

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also his dependents. This may well be a
serious hardship, especially to the low paid
employees."

In view of the above circumstances I am not in a position to render my service efficiently there and I pray you kindly to review my transfer order so that I may be allowed to continue my service here on humanitarian and grounds stated above.

For your prompt and kind action I, as duty bound, shall ever remain pray.

Yours faithfully,

(M. Samarendra Singh)
JTO
Bishnupur/Loktak, Manipur.

Copy to :

Advanced copies to the
Addressees.

(M. Samarendra Singh)
JTO Bishnupur/Loktak,
Manipur Division.

MS