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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 254/96.....

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SECTION OFFICER (Judl.)

ORIGINAL APPLN.NO. 254 OF 1996

TRANSFER APPLN.NO. OF 1995

CONTEMPT APPLN.NO. OF 1995 (IN NO.)

REVIEW APPLN.NO. OF 1995 (IN NO.)

MISC.PETITION NO. OF 1995 (IN NO.)

Smt. T.R. Sanyal Deva APPLICANT(S)

U.O.I. M. O. I. -VS- RESPONDENT(S)

For the Applicant(s)

... Mr. B.K. Sharma,
Mr. B.K. Talukdar and
Mr. S. Sharma
Mr.

For the Respondent(s)

Mr. G. Sharma, Addl. C.G.S.C.

OFFICE NOTE	DATE	ORDER
<p>This application is in form and within time C. F. of Rs. 50/- deposited vide IPO/BD No 33482586 Dated ... 31.10.96</p> <p><i>sh</i> 31/10</p> <p><i>1.11.96</i></p> <p>Copy of order issued to the parties along with the L/Adrs of the parties vide D.Nr - 3673 to 3686 d. 6.11.96</p>	31.10.96	<p>Learned counsel Mr. B.K.Sharma with Mr. G.K.Thakuria, Advocate, for the applicant.</p> <p>Learned Addl. C.G.S.C. Mr. G.Sarma, for the respondents.</p> <p>This application has been taken up unlisted on the request of Mr. B.K. Sharma on the ground of urgency.</p> <p>Perused the application and heard counsel of both sides.</p> <p>The applicant has in this application impugned the Order No. B32/General Transfer dated the 21st August, 1996 (Annexure-3) and Order dated 26.8.1996 (Annexure-4). I consider that this application needs not be admitted at this stage and it should be disposed of with the direction to the respondent No. 2 i.e. the Chief Post Master General, N.E. Circle, Shillong to dispose of the representation dated 27.8.96 submitted by the applicant to him (Annexure-7 to this application). Accordingly the application is disposed of with the direction to the respondent No. 2 to dispose of the aforesaid representation dated 27.8.1996 (Annexure-7) with a speaking order within one month from the date of receipt of the copy of this order. It is</p>

OFFICE NOTE

DATE

ORDER

31.10.96

further directed that the operation of the order No. B32/General Transfer dated 21.8.96 (Annexure-3) and order dated 26.8.96 (Annexure-4) shall be kept in abeyance by the respondents pending disposal of the aforesaid representation by the respondent No. 2.

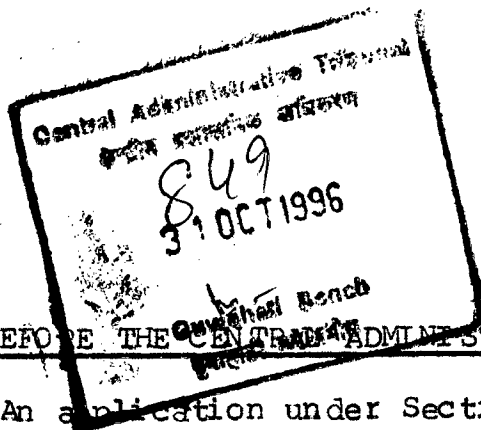
The applicant is at liberty to approach this Tribunal if she is still aggrieved with the order to be issued by the respondent No. 2 on her representation.

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

Copy of the order be supplied on the counsel of both sides.

Member

trd



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL::GUWAHATI BENCH

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

Title of the case : O.A. No. 254 of 1996

Smt. Th Shyama Devi ... Applicant

- Versus -

Union of India & Ors. ... Respondents

I N D E X

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Recd Copy
Golap Varma
AD C4SC
31.10.96

For use in Tribunal's Office :

Date of filing	:
Registration No.	:
REGISTRAR	

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL:: GUWAHATI BENCH

O.A. No. _____ of 1996

BETWEEN

Smt. Th. Shyama Devi,
Asstt. Postmaster, Parcel Branch,
Imphal ~~Rest~~ Head Post Office,
Imphal, Manipur,

... Applicant

AND

1. The Union of India,
represented by the Secretary to
the Government of India,
Ministry of Communication,
Department of Posts,
Dak Bhavan, New Delhi-1.
2. The Chief Postmaster General,
N.E. Circle, Shillong, -79 3001
- ✓ 3. Shri R.K. Biswanath Singh,
Sr. Superintendent of Post Offices,
Manipur Division, Imphal-795001
4. Shri S. Kalachand Singh,
Sub-Postmaster, Mantripukhuri Sub Post Office,
Mantripukhuri, Manipur.
5. The Postmaster,
Imphal Head Post Office,
Imphal-795001.

... Respondents

DETAILS OF APPLICATION

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

The application is directed against the mala fide order of transfer of the applicant by the impugned order No. B-32/General Transfer dated ~~22~~ 21.8.96 issued by the Senior Supdt. of Post Offices, Manipur Division, Imphal - Shri R.K. Biswanath Singh - respondent No.3.

2. JURISDICTION OF THE TRIBUNAL :

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

3. LIMITATION :

The applicant further declares that the instant application has been filed within the limitation period prescribed under Section 21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE :

4.1 That the applicant is a citizen of India and a permanent resident of Manipur and as such, she is entitled to all the rights, protections and privileges guaranteed by the Constitution of India.

4.2 That the applicant is presently working as Asstt. Postmaster at Imphal Head Post Office, Imphal which is a Higher Selection Grade-II post in the pay scale of Rs.1600-2660/-

4.3 That the applicant entered into the services of the Department of Posfs in the year 1970 (12.1.70) and on completion of 16 years of service, she was granted the Lower Selection Grade (LSG) with effect from 12.1.86 under the Biennial Cadre Review (in short BCR) Scheme. Be it stated here that under the BCR Scheme issued under No. 22-1/89-PE.I dated 11.10.91 an incumbent as indicated therein on completion of 16 years of service is entitled to get his promotion to LSG and then on

completion of 26 years of service, the incumbent is entitled to get further promotion to HSG-II. As indicated in the scheme itself, his time bound promotion after completion of 16 years is to the pay scale of Rs.1400-2300/- and thereafter on completion of 26 years of service the next time bound promotion is to the pay scale of Rs.1600-2660/-. The first promotion to the scale of Rs.1400-2300/- is called Lower Selection Grade and the next promotion to the scale of Rs.1600-2600/- is called Higher Selection Grade-II. The post of Asstt. Postmaster is in HSG-II as has been identified pursuant to the BCR Scheme. The post of Sub-Postmaster in respect of which the instant application is concerned is neither in the LSG nor in the HSG-II. The applicant craves leave of this Hon'ble Tribunal to produce a copy of the Biennial ~~Revenue~~ ^{Cadre Review} Review Scheme at the time of hearing of the instant O.A.

4.4 That the applicant states that her promotion on completion of 26 years of service under the BCR to the next higher grade i.e. HSG-II in the pay scale of Rs.1600-2660/- is long overdue. The applicant as stated above, had entered into the services of the Department of Posts on 12.1.70 and she has completed 26 years of service in January 1996 and thus entitled to be promoted with effect from January 1996.

4.5 That the applicant states that at present she is the seniormost incumbent due for promotion under the time bound promotion scheme to HSG-II in the pay scale of Rs.1600-2660/-. However, the respondent No. 3 in sheer violation of the BCR Scheme and the principle of posting

Contd....P/4.

the seniormost incumbent, has been making appointment to the post of Asstt. Postmaster (HSG-II) from amongst the junior persons in the gradation list. In this connection, mention may be made of the incumbent at Sl. No. 29 of the gradation list viz. Md. Abdul Manab Sheikh who was earlier given the officiating appointment to the post of Asstt. Postmaster in total disregard of seniority of the applicant. However, on her representation making grievance against such illegalities, eventually she has been posted as Asstt. Postmaster vide Memo No. B-32/Rotation Transfer/Pt.IV dated 26.7.96. By the said order, it has been mentioned that said Md. A.M. Sheikh who was junior to the applicant will on joining of the applicant as Asstt. Postmaster shall work as Postal Assistant, Imphal Head Office.

A copy of the said order dated 26.7.96 is annexed herewith as ANNEXURE-1.

Further a copy of the Gradation List ~~dated~~ as published vide No. 86/GL/PA/Corr dated 24.9.94 (relevant portion) is annexed as ANNEXURE-2.

4.6 That pursuant to the said order of appointment, the applicant joined her duty as Asstt. Postmaster and has been discharging her duties to the satisfaction of all concerned. When the impugned order of transfer was issued by the respondent No. 3 malafide and in colourable exercise of power, by the said order dated 21.8.96, the applicant who has been officiating as Asstt. Postmaster Imphal H.O. is sought to be posted as Sub-Postmaster, Mantripukhuri Sub Post Office vice one Shri S. Kalachand Singh (Respondent No.4)

A copy of the said order dated 21.8.96 is annexed herewith as ANNEXURE-3.

4.7 That the applicant states that the aforesaid order of transfer dated 21.8.96 is neither in public interest nor in the exigencies of services. Same is founded on malafide and in colourable exercise of power on the part of the respondent No. 3. The order has not been issued in her personal file ; but has been issued by the respondent at his own initiative. The impugned order has been typed out by the respondent No. 3 himself. Malafide is so writ large on the face of the impugned order that there is not even any indication as to who will move first among the two incumbents. On the other hand, it is mentioned in the order itself that the applicant would be relieved on office arrangement immediately. In a normal transfer order handing over and taking over of charge is ordered to be carried smoothly and a clear indication is given in the order itself as to who will move first among the two incumbents. But in the instant case, there is no such indication, and at present the respondent No. 3 is only interested in releasing the applicant from her post of Asstt. Postmaster. No such indication has been given in respect of the other incumbent i.e. the respondent No. 4. Be it stated here that the respondent No. 4 i.e. Shri S. Kalachand Singh has not been released enabling him to join in place of the applicant and he is still continuing at Mantripukhuri Sub Post Office. Be it also stated here that the said respondent No. 4 is also not interested to carry out the order of transfer, but in his case, no extra direction, as in the case of the applicant, has been given.

C.A.B.

Thus he is still continuing in his original place of posting and has not carried out the order of transfer. But on the other hand all sorts of pressure are being mounted on the applicant to join her new place of ~~post~~ posting. However, as the respondent No. 4 has not come to take over charge from her, the applicant has not handed over charge to him and has also not joined the new place of posting at Mantripukhuri Sub Post Office.

4.8 That the applicant states that the respondent No. 3 out of sheer malafide and in colourable exercise of power got issued an order dated 26.8.96 purportedly by the Postmaster, Imphal H.O. to the effect that as per direction of the respondent No. 3, the applicant is ordered to hand over charge on the afternoon of 26.8.96 to said Md. A.M. Sheikh, Postal Assistant. By the said order it is further indicated that said Md. A.M. Sheikh will continue till joining of duty by the other incumbent viz. the respondent No.4. Such type of arrangement speaks volumes of malafide and colourable exercise of power on the part of the respondent No.3. There is no necessity to issue such direction at the behest of the respondent No. 3 enabling a Postal Assistant to take over charge from the applicant. As pointed out above, said Shri Sheikh is much junior to the applicant under no circumstances and even for officiating appointment, he can have any better claim than the applicant. However, the applicant has not handed over her charge till date and presently she is on leave.

A copy of the said order dated 26.8.96 is annexed hereto as ANNEXURE-4.

. Contd...P/7.

4.9 That the applicant states that from the aforesaid factual position, it is crystal clear that the transfer of the applicant is not in public interest and she has been sought to be transferred out of Imphal H.O. at the personal interest of the respondent No. 3 and the said respondent No. 3 in exercise of his official power has sought to victimise the applicant by the impugned order. By the impugned order, the applicant has been virtually reverted to the post of Postal Assistant ~~which is~~ just after completion of 19 days of service in the post of Asstt. Postmaster. As will be evident from the order itself, the applicant who was allowed to officiate as Asstt. Postmaster has been posted as Sub Postmaster. The said post of Sub Postmaster is neither in the LSG grade nor in HSG. On the other hand Md. A.M. Sheikh has been allowed to hold charge from the applicant that is the post of Asstt. Postmaster. As stated above, on earlier occasion also said Md. Sheikh was allowed to hold the charge of the post of Asstt. Postmaster to the deprivation of the applicant. By the impugned order again the applicant is sought to be deprived of her position, status, responsibilities and duties. The impugned order of transfer is virtually, an order of reversion which could not have been issued by the respondent No. 3 except with malafide intention. In any case such order of reversion could not have been issued without following due process of law. Such an order offends the basic principles underlined in Article 311 of the Constitution of India.

4.10 That the applicant states that due to malafide and colourable exercise of power, ~~the applicant has been deprived of her colourable exercise of power,~~ The applicant has been deprived of her regular promotion to the post of

Asstt. Postmaster (HSG-II) on completion of 26 years of service under the BCR Scheme. As stated above, she has completed 26 years of service in January 1996 to be entitled to both the said two promotions. In this connection, the order of promotion has been issued vide Memo No. Staff/14-1/94 dated 14.10.96. Although the order of promotion has been issued on 14.10.96 the effective date of promotion has been given just on completion of 26 years of service to the incumbents named in the order itself. As regards the Manipur Division, no promotion order has been issued as the respondent No. 3 has not sent the C.R. files of the eligible officials despite repeated reminders. This position is well reflected in the order itself. The applicant is the seniormost incumbents in the LSG due for promotion to HSG-II on regular basis. In the Gradation List her position is at Sl. No. 9. The incumbents up to Sl. No. 7 had already been promoted. Now the applicant is the seniormost LSG to be promoted to HSG-II on regular basis. The incumbent at Sl. No. 11 has already been promoted being ⁱⁿ reserved ~~the~~ category. The incumbent at Sl. No. 8 has been dismissed from service. Thus it will be seen that due to the apathy and non-challant attitude on the part of the respondent No. 3 the applicant has been deprived of her promotion to HSG-II on regular basis. This is nothing but sheer malafide on the part of the respondent No. 3. The respondent No. 3 is bent upon to do harm to the applicant due to his hostile and malafide towards the applicant. He has developed a bias attitude towards the applicant during the day to day official works. Further he is also interested to see the applicant out of the Imphal H.O. so that the official accommodation

which the applicant has been occupying can be given to some other nearer and dearer one of the respondent No. 3. Once the applicant is transferred out of Imphal H.O., she will have to vacate her official accommodation. These are precisely the reasons why the ~~xxxix~~ respondent No. 3 is bent upon to see the applicant transferred out of Imphal H.O. This has resulted into the impugned order of transfer even without any initiation of the same in her personal file. As stated above, the respondent No. 3 has simply typed out the order of transfer and has issued the same with the sole purpose of to see the applicant out of Imphal H.O. This is precisely the reason why he has been insisting upon the release of the applicant unmindful of the position as regards the respondent No. 4. He has not insisted upon the transfer and release of the respondent No. 4 and now the position is, he is happily continuing in his original place of posting. But on the other hand all sorts of pressure being mounted on the applicant to join the new place of posting and that too in a reverted post. This could not have been done without first cancelling the order of her promotion vide Annexure-1 dated 26.7.96. Once she joins the new place of posting, as Sub Postmaster, she will lose her status and ~~responsibility~~ responsibility which are given to her vide Annexure-1 order dated 26.7.96.

A copy of the order dated 14.10.96 is annexed herewith as ANNEXURE-5.

4.11 That the applicant states that in the Sub Post Office to which she has been sought to be transferred, there is no post of LSG or HSG-II. Same is a Sub Post Office manned by only two personnel - one is Postal Assistant and the other one is Sub-Postmaster.. The post of P.A. is being held by another lady. If the impugned order of transfer is

given effect and the applicant is posted as Sub Postmaster the said Sub Post Office will have to be run by two ladies. It will be pertinent to mention here that the said Sub Post Office is in a remote and isolated area and the area is a terrorist effected one. From the security point of view, the same is not at all conducive for a lady. It can easily be understood as to ~~why~~ what public interest would be served by the impugned order if the same is given effect to. If the impugned order is to be implemented, the said Sub Post Office in a terrorist area will have to be managed by two ladies. Lack of security arrangement in the area is known to all. There is no Police Station nearby to the said Sub Post Office. On the other hand there are vacancies (two vacancies) in the Imphal H.O. in any one of which the applicant can very well be accommodated.

4.12 That the applicant states that firstly she has been deprived of her officiating promotion to the post of Asstt. Postmaster and when the same was redressed vide Annexure-1 order, she has been sought to be deprived of the same on the strength of the impugned order. On the other hand although she is long overdue for her regular promotion to HSG-II under the BCR Scheme, due to malafide intention of the respondent No. 3, she has been deprived of the same. On the other hand by the impugned order she has been sought to be reverted from her officiating appointment to the post of Asstt. Postmaster and to that effect, even the juniormost incumbent has been directed to take over charge from her vide Annexure-4 letter. Malafide on the part of the respondent No. 3 is ~~sought to~~ so writ large that even the C.R. files of the applicant have not been sent inspite of repeated reminders

which would have meant her promotion on regular basis to HSG-II.

4.13 That the applicant states that on receipt of the transfer order, she made a representation to the respondent No. 3 as instructed by him. Upon a personal interview, the respondent No. 3 instructed the applicant to highlight her personal and domestic grievances in her representation with the assurance that he would look into the matter. When the applicant pointed out that the order has been issued mala fide, the said respondent No. 3 directed her not to mention anything in her representation and to make a simple representation. The applicant honestly believed and made a representation highlighting her personal difficulties. The said representation was made on 22.8.96.

A copy of the said representation dated 22.8.96
is annexed herewith as ANNEXURE-6.

4.14 That the applicant states that her said representation has not been disposed of and having no other alternative the applicant thereafter filed a further representation on 27.8.96 followed by Advocate's notices dated 16.9.96 and 1.10.96.

Copies of the said representations dated 27.8.96
and notices dated 16.9.96 and 1.10.96 are annexed
herewith as ANNEXURES-7, 8 and 9 respectively.

4.15 That the applicant states that although by the impugned order dated 26.8.96, arrangement for release of the

applicant has been purportedly made, same is totally illegal and not sustainable more particularly in view of the provisions relating to transfer of charge as contained in P&T Manual Vol. IV. In this connection, Rule 42 and 43 may be referred to. The applicant craves leave of this Hon'ble Tribunal to refer to and rely upon the said provisions of the Rules at the time of hearing of the instant O.A. The respondent No. 3 in his mala fide and colourable exercise of power has even ignored the provisions of Rules in respect of handing over and taking over of charge. As stated above, the applicant has not handed over charge nor she has signed the charge report in the requisite form as required in case of a transfer. Thus she is still continuing in her post. Accordingly, it is a fit case for passing an interim order towards continuance of the applicant in the present place of posting as Asstt. Postmaster, Imphal H.O.

4.16 That the applicant states that it is her definite case that the impugned order of transfer has not been initiated in her personal file ; but has been initiated at the behest of the respondent No. 3 who himself has typed out the order of transfer. In this connection, the relevant file containing the order of transfer and official note may be called for more particularly the file No.B-32 may be called for.

4.17 That the applicant states that in view of the facts and circumstances stated above, it is a fit case for passing an interim order as has been prayed for. If the interim order is not granted, the applicant will suffer

irreparable loss and injury. There is also no difficulty in passing the interim order inasmuch as the respondent No. 4 - the other incumbent who is also involved in the order of transfer has not come and joined, rather he is continuing in his original ~~post~~ place of posting i.e. at Mantripukhuri Sub Post Office. ~~again~~ On the other hand there are vacancies at Imphal H.O. against any one of which the applicant can very well be continued. Further as will be evident from the Annexure-4 order, Md. A.M. Sheikh has only been directed to take over charge from the applicant till joining of duty by the other incumbent namely the respondent No. 4. Since the respondent No. 4 has not joined yet in Imphal H.O. in place of the applicant, there is no impediment against passing of the interim order as has been prayed for.

5. GROUND'S FOR RELIEF WITH LEGAL PROVISIONS :

5.1 For that malafide and colourable exercise of power being the foundation of the impugned orders, same are not sustainable and liable to be set aside and quashed.

5.2 For that in the garb of the impugned order of transfer, the applicant has been sought to be reverted which cannot be done in violation of the Article 311 of the Constitution of India.

5.3 For that the applicant having been promoted to the grade of LSG on completion of 16 years of service, she cannot be posted to a post which is neither LSG nor HSG-II.

5.4 For that the applicant having been appointed to officiate in the HSG-II post of Asstt. Postmaster, she cannot be posted as Sub-Postmaster which is neither LSG nor HSG as has been sought to be done by the impugned order.

5.5 For that the respondent No. 3 having issued the impugned order malafide and in colourable exercise of power not in any public interest, the impugned orders are not sustainable and liable to be set aside and quashed.

5.6 For that the respondent No. 3 to fulfil his personal grudge and bias towards the applicant cannot victimise the applicant in exercise of his official power and accordingly, the impugned orders are not sustainable and liable to be set aside and quashed.

5.7 For that the true intent and purport behind the impugned orders are required to be unveiled by this Hon'ble Tribunal and accordingly, the records pertaining to the case more particularly the file in which the impugned order of transfer has been initiated may be called for and on perusal of the record, be pleased to set aside and quash the impugned order.

5.8 For that the respondent No. 3 could not have got issued the Annexure- 4 order directing the juniormost incumbent to take over charge from the applicant without following due process of law.

5.9 For that the applicant has got atleast a right to be considered in respect of her grievances against the impugned orders of transfer, but in the instant case, the respondent No. 3 and all other respondents have turned ~~down~~ a deaf ears to her representations and also legal notices issued by her Advocate.

5.10 For that the impugned orders having the effect of reversion of the applicant to lower post, could not have been issued and accordingly, the said orders are liable to be set aside and quashed.

5.11 For that the applicant being long overdue for her promotion to HSG-II on regular basis pursuant to BCR Scheme the respondent No. 3 cannot withheld the same so as to pave the way for transfer of the applicant to a post ~~at~~ lower in status, duties and responsibilities.

5.12 For that in any view of the matter, the impugned orders are not sustainable and liable to be set aside and quashed.

6. DETAILS OF REMEDIES EXHAUSTED :

The applicant declares that she has no other alternative but to come under the protective hands of the Hon'ble Tribunal.

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

The applicant further declares that she has not filed any application, writ petition or suit in respect

of the subject matter of the instant application before any other Court, Authority or any other Bench of the Hon'ble Tribunal nor any such application, writ petition or suit is pending before any of them.

8. RELIEFS SOUGHT :

Under the facts and circumstances stated above, the applicant most respectfully prays that the Hon'ble Tribunal may be pleased to admit this application, call for the records of the case more particularly the records pertaining to her order of transfer vide Annexure-3 (File No. B-32) and upon hearing the parties on the cause or causes that may be shown, and on perusal of the records, be pleased to grant the following reliefs :

- (i) To set aside and quash the impugned orders at Annexure-3 and 4 dated 21.8.96 and 26.8.96 respectively
- (ii) To ~~xxx~~ direct the respondents to allow the applicant to continue in the post of Asstt. Postmaster at Imphal Head Office ;
- (iii) To direct the respondents to promote the applicant to HSG-II on regular basis pursuant to her completion of 26 years of service in accordance with BCR Scheme and with retrospective effect with all consequential benefits of salary and seniority etc.
- (iv) Cost of this application
- (v) Any other relief or reliefs to which the applicant is entitled under the facts and circumstances of the case.

9. INTERIM ORDER PRAYED FOR :

Pending disposal of the application, the applicant prays for an interim order directing the respondents to allow the applicant to continue in the post of Asstt. Postmaster Imphal Head Post Office pursuant to Annexure-1 order dated 26.7.96 ~~xx~~ and to stay/suspend the impugned order as contained in Annexures-3 and 4 dated 21.8.96 and 26.8.96. The applicant states that he has not handed over charge to any one nor the respondent No. 4 has taken over charge from her.

10.

The application is filed through ^A Advocate.

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

(i) I.P.O. No.	: 33 482586	} dt. 31-10-96
(ii) Date	: 31 465216	
	: 52 948599	
(iii) Payable at	: Guwahati.	

12. LIST OF ENCLOSURES :

As stated in the Index.

Verification.....

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

I, Smti. Th~~a~~ Shyama Devi, Asstt. Postmaster, Imphal Head Post Office, Imphal, Manipur, aged about 46 years, do hereby solemnly affirm and verify that the statements made in the accompanying application in paragraphs 1 to 4 and 6 to 12 are true to my knowledge, those made in paragraph 5 are true to my legal advice and I have not suppressed any material facts.

And I sign this verification on this the 31st day of October 1996 at Guwahati.

Th. Shyama Devi

-19-

ANNEXURE-1

Department of Post:India.
Office of the Director Postal Services:Manipur:Imphal: V
795001.

Memo no. B-32/Rotation Transfer/Pt.IV. Dated at Imphal,
the 26.07.'96.

The following orders are issued in the interest of
service to have immediate effect.

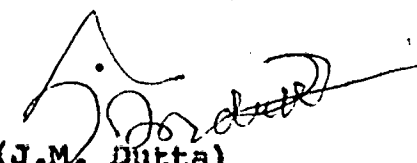
1. Smti. Th. Shyama Devi, Senior-most LSG P.A./Imphal H.O. is hereby posted as Asstt. Postmaster, Imphal H.O. against Md. Abdul Manab Sheikh, APM(Parcel), Imphal H.O.
2. Md. Abdul Manab Sheikh, APM(Parcel) who is junior to the said Smti. Th. Shyama Devi will on joining of Smti. Th. Shyama Devi as Asstt. Postmaster at Imphal H.O. shall work as P.A., Imphal H.O.

Formal charge reports should be exchanged, and copies should be forwarded to all concerned.

Sd/-
(J.M. Dutta)
Supdt. of Post offices.
Manipur, Imphal-795001.

Copy to :-

1. The Postmaster, Imphal H.O. He is further requested to rotate the staff of Imphal H.O. from one branch to other at regular intervals as instructed by the undersigned personally so that to avoid fraud as because it was observed that most of the officials are working in a single branch for very long time. This exercise should be completed before 15.08.96.
2. The DA(P) Calcutta through the Postmaster, Imphal HO
- 3-4. The officials concerned.
- 5-6. The P.F. of the officials.
- 7-8. Spare.


(J.M. Dutta)
Supdt. of Post offices
Manipur, Imphal-795001.

21. 2nd June 1996

Plg on

-20-

ANNEXURE-2

DEPARTMENT OF POSTS, INDIA.
OFFICE OF THE DIRECTOR POSTAL SERVICES: MANIPUR: IMPHAL
795001.

No. B6/G.L./P.A/Corr.

Dated at Imphal, the 24.09.94.

To

1. The Postmaster, Imphal H.O.
2. The ASPOs, 1st. Sub-Division, Imphal.
3. All the SDIPOs in Manipur including C.I. and IPOs(PMI), Imphal.
4. All the SPMs in Manipur.
5. The Estt. Branch, Divisional office.

Sub:-

Issue of Gradation List in respect of P.A. - cadre including Accountant/ Assistant Accountants as on 01.07.1994.

The Gradation List in respect of the P.A. - cadre including Accountant/Asstt. Accountants corrected upto 01.07.1994 is forwarded herewith for wide circulation amongst the staffs working in your office/Units.

Any objections as regards to the date of birth, date of entry and any other particulars found mistake in the List should promptly be reported with documentary evidence within 30(thirty) days from the date of its issue for necessary corrections else the list will be taken as genuine and correct.

Enclosures:- As stated above.

Supdt. of Post Offices,
Manipur, Imphal-795001.

Atung

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25

GRADATION LIST OF LOWER SELECTION GRADE OFFICIALS INCLUDING THOSE PROMOTED UNDER TBOP SCHEME
MANIPUR DIVISION AS ON 1.7.94 IN THE SCALE OF PAY OF Rs. 1400-40-1800-EB-50-2300/-

Sl.No.	Name of official community	Date of birth.	Date of entry in the Deptt.	Date of entry in the cadre.	Designation	Pay	D.O.I.	Remarks.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10).
01.	Sri S. Kalachand Singh	OC	01.03.45	20.11.65	30.11.83	SPM/M.Pukhr	Rs.1760/-	01.08.95	
02.	Sri A. Shyamkishore Sharma.	OC	01.10.45	18.05.66	30.11.83	P.A/IP.HO.	Rs.1760/-	01.11.94	Declined BCR promotion.
03.	Sri K. Mangi Singh	OC	01.11.42	18.05.66	30.11.83	P.A/IP.HO.	Rs.1760/-	01.11.94	Declined BCR promotion.
04.	Sri A.C. Pandit(T)	OC	01.03.43	24.09.66	30.11.83	-	-	-	Transferred to Cachar Dn. under Rule-38.
05.	Sri L. Ibohal Singh	OC	01.03.48	14.11.67	30.11.83	SPM/IP.Bazar	Rs.1760/-	01.11.94.	
06.	Sri K. Ibotombi Singh (D)	OC	30.12.36	29.05.61 29.11.67	30.11.83	SPM/Lamlong Bazar.	Rs.1760/-	01.11.94.	
07.	Md. Abdul Jalil(T)	OC	01.03.48.	26.11.68	26.11.84	SPM/Lilong	Rs.1760/-	01.11.94.	
08.	Sri Sinthuan	ST	01.03.48	15.10.69	15.04.72	P.A/C.cpur	Rs. -	-	Now under suspension.
09.	Smt. Th. Shyama Devi	OC	01.09.49	12.01.70	12.01.86	P.A/IP.HO.	Rs.1720/-	01.01.95.	
10.	Smt. Promila Bhatta-charjee.	OC	01.03.50	25.03.70	25.03.86	P.A/IP.HO.	Rs.1720/-	01.01.95.	
11.	Sri S.T. Vaiphei(D)	ST	01.07.43	11.09.64 06.04.70	06.04.86	-	-	-	Dismissed from service.
12.	Sri Ram Samujh(T)	OC	06.09.47	02.12.70	03.12.86	SPM/Kakching	Rs.1760/-	01.12.94.	
13.	Sri B. Lokeswar Singh (D)	OC	01.11.45	25.11.65 15.07.71.	15.07.89	SPM/Singjamei Bazar.	Rs.1680/-	01.03.95.	
14.	Md. Yakub Ali(D)	OC	01.03.43	01.03.66 16.07.71	16.07.87	P.A/IP.HO	Rs.1680/-	01.07.95.	

Contd.P/2...

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
15. Sri M. Ibobi Singh (D)	OC	01.04.46	<u>12.08.68</u> 28.03.72	28.03.88	SPM/C.cpur	Rs. 1680/-	01.03.95		
16. Sri Y. Birendra Singh(D)	OC	01.04.42.	<u>15.01.64</u> 17.11.72	17.11.88	SPM/Moirang	Rs. 1640/-	01.11.94.		
17. Shri G.C. Sharma	OC	01.04.47	15.04.72	13.12.84	-	-	-		Transferred to Guwahati Dn. under Rule-38.
18. Smt. N. Ibemubi Devi	OC	01.03.50	10.05.73.	17.05.89	P.A/IP.HO.	Rs. 1600/-	01.05.95.		
19. Sri B. Rajbangshi	ST	11.09.52	29.05.73.	28.05.89	-	-	-		Qualified IPOs.
20. Sri D.C. Brahma (T)	ST	01.03.50	29.05.89	28.05.89	SPM/L.Project	Rs. 1600/-	01.05.95.		
21. Shri S. Bhagya Singh(D)	OC	01.10.47	<u>12.12.67</u> 12.05.73	30.05.89	SPM/Morsh	Rs. 1600/-	01.05.95.		
22. Sri I. Joychandra Singh.(D)	OC	01.03.44	<u>10.05.68</u> 31.05.73	30.05.89	P.A/IP.HO.	Rs. 1600/-	01.07.95.		
23. Sri Tinkholet Vaiphei (SI)		01.03.53	18.09.73.	17.09.89	Treasurer/ C.cpur SO.	Rs. 1560/-	01.09.94.		
24. Sri Dilip Kr. Das.	OC	01.07.46	07.12.73	06.12.89	-	-	-		Transferred to Burdwan. H.O. under Rule-38.
✓ 25. Md. Sanatomba Mia (D).	OC	01.03.47	<u>14.03.67</u> 03.02.74.	02.02.90	SPM/Thoubal S.O.	Rs. 1560/-	01.02.95.		
26. Sri N. Kipgen(D)	ST	15.09.48	<u>01.09.67</u> 04.02.74.	03.02.90	SPM/T.Waichong	Rs. 1560/-	01.02.95.		
27. Smt. P.Sumati Devi	OC	01.03.50	04.02.74	03.02.90	OA/DPS, office.	Rs. 1560/-	01.02.95.		
28. Sri A. Brajamani Sharma(D).	OC	01.12.45	<u>16.01.68</u> 08.02.74.	07.02.90	P.A/IP.H.O.	Rs. 1560/-	01.02.95.		

- 23 -
GRADATION LIST OF LOWER SELECTION GRADE OFFICIALS INCLUDING THOSE PROMOTED UNDER TBOP SCHEME
MANIPUR DIVISION AS ON 1.7.94 IN THE SCALE OF PAY OF Rs. 1400-40-1800-EB-50-2300/-

Sl.No.	Name of official community	Date of birth.	Date of entry in the Deptt.	Date of entry in the cadre.	Designation	Pay	D.M.I.	Remarks.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10).
01.	Sri S. Kalachand Singh	OC 01.03.45	20.11.65	30.11.83	SPM/M.Pukhr	Rs.1760/-	01.08.95		
02.	Sri A. Shyamkishore Sharma.	OC 01.10.45	18.05.66	30.11.83	P.A/IP.HO.	Rs.1760/-	01.11.94	Declined BCR promotion.	
03.	Sri K. Mangi Singh	OC 01.11.42	18.05.66	30.11.83	P.A/IP.HO.	Rs.1760/-	01.11.94	Declined BCR promotion.	
04.	Sri A.C. Pandit(T)	OC 01.03.43	24.09.66	30.11.83	-	-	-	Transferred to Cachar Dn. under Rule-38.	
05.	Sri L. Ibohail Singh	OC 01.03.48	14.11.67	30.11.83	SPM/IP.Bazar	Rs.1760/-	01.11.94.		
06.	Sri K. Ibotombi Singh (D)	OC 30.12.36	<u>29.05.61</u> 29.11.67	30.11.83	SPM/Lamlong Bazar.	Rs.1760/-	01.11.94.		
07.	Md. Abdul Jalil(T)	OC 01.03.48.	26.11.68	26.11.84	SPM/Lilong	Rs.1760/-	01.11.94.		
08.	Sri Sinthuan	ST 01.03.48	15.10.69	15.04.72	P.A/C.cpur	Rs. -		Now under suspension.	
09.	Smt. Th. Shyama Devi	OC 01.09.49	<u>12.01.70</u>	12.01.86	P.A/IP.HO.	Rs.1720/-	01.01.95.		
10.	Smt. Promila Bhatta- charjee.	OC 01.03.50	25.03.70	25.03.86	P.A/IP.HO.	Rs.1720/-	01.01.95.		
11.	Sri S.T. Vaiphei(D)	ST 01.07.43	<u>11.09.64</u> 06.04.70	06.04.86	-	-	-	Dismissed from service.	
12.	Sri Ram Samujh(T)	OC 06.09.47	02.12.70	03.12.86	SPM/Kakching	Rs.1760/-	01.12.94.		
13.	Sri B. Lokeswar Singh (D)	OC 01.11.45	<u>25.11.65</u> 15.07.71.	15.07.89	SPM/Singjamei Bazar.	Rs.1680/-	01.03.95.		
14.	Md. Yakub Ali(D)	OC 01.03.43	<u>01.03.66</u> 16.07.71	16.07.87	P.A/IP.HO	Rs.1680/-	01.07.95.		

Contd.P/2...

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
15. Sri M. Ibobi Singh (D)	OC	01.04.46	<u>12.08.68</u> 28.03.72	28.03.88	SPM/C.cpur	Rs. 1680/-	01.03.95		
16. Sri Y. Birendra Singh(D)	OC	01.04.42.	<u>15.01.64</u> 17.11.72	17.11.88	SPM/Moirang	Rs. 1540/-	01.11.94.		
17. Shri G.C. Sharma	OC	01.04.47	15.04.72	13.12.84	-	-	-	Transferred to Guwahati Dn. under Rule-38.	
18. Smt. N. Ibemubi Devi	OC	01.03.50	10.05.73.	17.05.89	P.A/IP.HO.	Rs. 1600/-	01.05.95.		
19. Sri B. Rajbangshi	ST	11.09.52	29.05.73.	28.05.89	-	-	-	Qualified IPOs.	
20. Sri D.C. Brahma (T)	ST	01.03.50	29.05.89	28.05.89	SPM/L.Project	Rs. 1600/-	01.05.95.		
21. Shri S. Bhagya Singh(D).	OC	01.10.47	<u>12.12.67</u> 12.05.73	30.05.89	SPM/Moreh	Rs. 1600/-	01.05.95.		
22. Sri I. Joychandra Singh.(D)	OC	01.03.44	<u>10.05.68</u> 31.05.73	30.05.89	P.A/IP.HO.	Rs. 1600/-	01.07.95.		
23. Sri Tinkholet Vaiphei (SI)		01.03.53	18.09.73.	17.09.89	Treasurer/ C.cpur SO.	Rs. 1560/-	01.09.94.		
24. Sri Dilip Kr. Das.	OC	01.07.46	07.12.73	06.12.89	-	-	-	Transferred to Burdwan. H.O. under Rule-38.	
✓ 25. Md. Sanatomba Mia (D).	OC	01.03.47	<u>14.03.67</u> 03.02.74.	02.02.90	SPM/Thoubal S.O.	Rs. 1560/-	01.02.95.		
26. Sri N. Kipgen(D)	ST	15.09.48	<u>01.09.67</u> 04.02.74.	03.02.90	SPM/T.Waichong	Rs. 1560/-	01.02.95.		
27. Smt. P. Sumati Devi	OC	01.03.50	04.02.74	03.02.90	OA/DPS, office.	Rs. 1560/-	01.02.95.		
28. Sri A. Brajamani Sharma(D).	OC	01.12.45	<u>16.01.68</u> 08.02.74.	07.02.90	P.A/IP.H.O.	Rs. 1560/-	01.02.95.		

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
29. Md. Abdul Manab Seika (D).	OC	01.03.49	01.01.68 14.02.74	13.02.90	PA/IP.HO.	Rs.1560/-	01.02.95.		
30. Shri C.P.N. Sinha	OC	05.07.51	21.02.74.	20.02.90	SPM/Pallul	Rs.1560/-	01.02.95.	Transferred to Bihar Circle under Rule-38	
31. Shri B.C. Boro	ST	31.05.54	23.02.90	22.02.90	-	-	-	Transferred to Nalbari Dn., under Rule-38.	
32. Smt. Ksh. Bimola Devi	OC	01.03.50	03.04.74	02.04.90	PA/IP.Br.SO	Rs.1560/-	01.04.95.		
33. Sri W. Mangi Singh.	OC	01.03.49	03.04.74	02.04.90	PA/IP.HO.	Rs.1560/-	01.04.95..		
34. Sri N. Chaoba Singh	OC	01.03.49	04.04.74	03.04.90	PRI(P)/IP.	Rs.1560/-	01.04.95.		
35. Sri A. Dalim Singh	OC	01.08.54	15.03.75	14.03.91	H.O. PA/IP.H.O.	Rs.1560/-	01.03.95.		
36. Sri K.C. Deb Barman(D)	ST	23.07.46	08.11.68 21.04.75.	20.04.91.	SPM/Pangei Yangdong.	Rs.1560/-	01.04.95.		
37. Sri G. Gopal Sharma	OC	01.03.50	01.06.75.	31.05.91.	DA/DPS, office.	Rs.1560/-	01.06.95.		
38. Sri L. Rajendra Singh (D).	OC	01.07.43.	13.08.60 14.07.75.	13.07.91.	SPM/Jiribam Gularthal	Rs.1560/-	01.07.95.		
39. Sri M. Chaoba Singh	OC	01.12.47	15.10.69	01.01.91.	PA/IP.HO.	Rs.1520/-	01.03.95.		
40. Sri W. Natum Singh(D)	OC	17.08.35	01.01.69 16.03.84.	01.11.91.	-	-	-	Retired on superannuation w.e.f.1.9.93.	
41. S.P. Vaiphei (D)	ST	01.03.52.	14.03.73. 25.10.84.	13.03.89	PA/IP.H.O.	Rs.1560/-	01.01.95.	Repatriated from Meghalaya Dn.	
42. Sri Ibopishak Singh	OC	01.03.48	02.02.74	01.03.93.	PA/Thoubal S.O.	Rs.1560/-	01.02.95	Repatriated from Nagaland Dn.	

DEPTT. OF POSTS
o/o THE DIRECTOR POSTAL SERVICES
MANIPUR DIVISION, IMPHAL - 795001

No.B32/General Transfer dated at Imphal the 21th Aug 1996.

The following transfer and posting orders are issued to have immediate effect in the interest of service.


1. Shri S. Kalachand Singh SPM Mantripukhri SO is posted as APM Imphal HO vice Smt. Th. Shyama Devi transferred.
2. Smt. Th. Shyama Devi officiating APM Imphal HO is posted as SPM Mantripukhri SO vice Shri S. Kalachand Singh. She will be relieved on office arrangement immediately.

Necessary charge reports may be sent to all concerned.

Sd/-
(R.K.BISWANATH SINGH)
Sr. Supdt. of Post Offices
Manipur Division, Imphal -795001

Copy to:-

1. The Postmaster, Imphal HO.
2. SPM Mantripukhri SO.
- ✓ 3-4. Officials concerned.
- 5-6. P/F.
- 7-8. O/C and spare.


(R.K.BISWANATH SINGH)
Sr. Supdt. of Post Offices
Manipur Division, Imphal-795001

Filed

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ANNEXURE-4

COPY OF ORDER

DATED 26.8.96

In pursuance of Sr^y Supdt. of POs, Manipur Dn.,
Imphal Memo No. B-32/General dated 21.8.96, and as per
direction by Sr. S.Posts this day Smti. Th. Shyama Devi
APM Parcel is ordered to hand over charge this afternoon
to Md. Manab Sheik P.A. Md. Manab Sheik will take the
charge of APM Parcel today and work till resumption
of Shri S. Kalachand Singh.

Sd/- A. R. Sil

Postmaster
Imphal-795001.

Checked
RM
ASR
31-10

DEPARTMENT OF POST

Office of the Chief Postmaster General, N.E. Circle, Shillong

Memo No. Staff/14-1/94

Dtd Shillong, the 14-10-1996

A. The following officials are promoted to the grade of BSG-II under B.C.R. Scheme in the scale of 1600-50-2300 EB-60-2660/- and allotted to their respective divisions. The promotion will be effective from the dates mentioned hereinunder-

ARUNACHAL PRADESH

	Date of effect.	Division to which allotted.
1. Sri Santosh Bhattacharjee-	1-7-96	A.P. Division

AGARTALA DIVISION

	Date of effect.	Division to which allotted.
1. Sri Jagat Bandra Rudrapaul	1-1-96	Agartala division
2. " Haradhan Paul	1-7-96	-do-
3. " Rabindra Ch. Banik	1-7-96	-do-
4. " Pradip Chakraborty	1-7-96	-do-
5. " Khirde Ch. Bhattacharjee	1-7-96	-do-
6. Smti Saraju Bardhan	1-7-96	-do-
7. Sri Sukha Rn. Roy	1-7-96	-do-
8. " Rabindra Sutradhar (SC)-	1-7-96	-do-
9. " Hare Krishan Das (SC)	1-7-96	-do-

MEGHALAYA DIVISION

	Date of effect.	Division to which allotted.
1. Sri Satyendra Nath Sarma	1-1-96	Meghalaya Dvn
2. " Kripesh Rn. Chanda	1-7-96	-do-
3. " Dilip Kr Datta	1-7-96	-do-
4. Smti Jharna Endow	1-7-96	-do-
5. " Emylion Dohling	1-7-96	-do-
6. Sri Bireswar Sengupta	1-7-96	-do-
7. Smti Gauri Bhattacharjee	1-7-96	-do-
8. " Sabita Datta	1-7-96	-do-
9. Sri Twenlyson Kharkongor (ST)	1-7-96	-do-
10. Smti Minoti Das (SC)	1-7-96	-do-

DHARMANAGAR DIVISION

	Date of effect.	Division to which allotted.
1. Sri Surjya Mohan Das (SC)	1-7-96	Dharmahagar Dvn

S.B.C.O.

	Date of effect.	Division to which allotted.
1. Sri Debendra Ch. Roy	1-7-96	Agartala Dvn

** The cases of Manipur division could not be processed as the SSPOs Imphal failed to send C.R. files of eligible officials despite repeated reminders.

B. The promotion will be effective on joining of the officials.

Amr

2-29-
C. The officials against whom disciplinary action is pending should be reported to Circle Office before making offer of promotion.

D. The officials may exercise option for choosing date of fixation of pay on promotion within one month of joining, under the provision of FR, 22.

E. The Divisional shall immediately issue posting order for the officials allotted against HSG-II/LSG or any other Supervisory posts as S.P.M. if vacant which are to be upgraded on their actual joining. The Divisional heads shall see that the fact of refusal to accept promotion is noted in Service and fact is reported to Circle office.

(P.K. Nandi Majumdar)
Asstt. Postmaster General (S)
N.E.Circle, Shillong-793 001.

Copy to:

1. All D.P.S. in N.E.Circle.
2. SSPOs/ Imphal.
3. The SPOs Dharmanagar/Arunachal Pradesh and Meghalaya Dvns
4. The Supdt PSD, Silchar.
5. The Sr P.M., Shillong GPO
6. All Postmasters
7. Officials concerned.
8. P/Fs of officials
9. The A.D (Estt) C.O, Shillong.
10. The D.A (P) Calcutta.
11. Spores

for Chief Postmaster General
N.E.Circle, Shillong-793 001.

H.L.

[Handwritten signature]

XXXXXXXXXXXXXXXXXXXX

To,

The Sr. Supdt. of post offices
Manipur: Imphal-725001.

(Through Postmaster, Imphal H. P. O)

Sub:- Request for cancellation of Order of
Transfer to Mantripukhuri.

Respected Sir,

With due respect and humble submission I beg to state that the afore-said order of transfer issued vide your esteemed Memo. No. 3-32/General Transfer Dtd. 21.08.'96 has at the outset stunned me and at the same time has created a calamity on my domestic life. In this connection, I respectfully beg to lay the following few lines for your kind consideration and immediate order to save me at the point of utter ruin and distress.

1. That Sir, I am the head of family consisting of my paralysed aged father and other dependent members.
2. That my aged father was paralysed in 1930 and since then he is completely bed-ridden and can not be shifted at his present critical juncture.
3. That my daughter is reading in Class-X and for her better study I have taken help of private tutors after persistent endeavour. The materialisation of transfer will bring a serious bottle-neck in her study and for that her life may be doomed.
4. That, I myself had gone under major abdominal surgery and for that I can not take any sort of hazardous journey including journey on rickshaw/auto etc.,
5. That Sir, I am the senior most ISG in Manipur Division and awaiting my BCR-Promotion in ISG-11 cadre. Only seeing my seniority, the then SPOs had posted me as ASG (Parceal Branch) against the clear vacancy where I joined only on 02.02.'96. Now, my transfer ~~xxxxxxxxxx~~ within a month has brought serious humiliation, and has created mental shock.

Under the above facts and circumstances, I earnestly request to kindly bestow your good wishes and cancel the order of transfer so that I may discharge my duties undisturbedly and satisfy the authorities with my humble service.

Yours faithfully,
Th. Shyama Devi
(Th. Shyama Devi)

Dated, at Imphal
the 22.08.96.

31
--(2)--

An Advance Copy to:-

Smt. R. K. Bihwanath Singh
Sr. Sundt. of Post Offices
Manipur: Imphal-793001.

For his kind information and immediate
necessary orders.

Th. Shyama Devi
(Th. Shyama Devi)
Asstt. Postmaster (Para II)
Imphal H. T. O.
793001.

Shyama

To

Shri L. Kaling,
Chief Postmaster-General,
N.E. Circle, Shillong-793001.

36

Sub:-

Undue harassment by way of intentional transfer from Imperial Head Post office by the Sr. Supt. of P.Os, Shri R. K. Biswanath Singh.

- AND -

Humble request for immediate intervention and necessary action to protect the life and to save from the clutches of biased, intentional and prejudiced action of the aforesaid officer.

Hon'ble Sir,

I, respectfully, beg to say as follows :-

1. That, I entered in the postal Department in the year 1970 and since then I have been discharging my duties with full co-operation of the higher authorities. During my entire 25 years service I always tried to please the higher authorities as well as to the public with my humble and sincere service.

2. That Sir, now I have completed 25 years of service and I am due for promotion in ISG-11 cadre under BCR-scheme. Seeing my seniority and unspotted transparent career of 25 service, the then Supt. of P.Os, Shri J.M. Dutta ordered me to join as AM (Parcel Branch) at Imperial H.O. where I had joined only on 2.8.86, against the clear vacancy. In this connection, it may be mentioned that one more post in supervisory cadre is lying vacant in the Regn. Branch and being manned by the far junior official than me.

3. That Sir, while I was performing my duties as AM (Parcel Branch) most satisfactorily suddenly I received an order typed and signed by the SSGOs vide his Memo No. B-32/General Transfer itd. 21.08.86. transferring me to Mantripukhri Sub post office without any cause of transfer.

4. That Sir, Mantripukhri Sub-Post office is a double handed office and situated in an isolated corner of Bazar. There is neither any police station nor sort of security arrangement. The post in that office had already being run by a lady staff, and posting another (myself) as the in-charge of the always un-safe to the life of the as well as the Govt. property. had already taken opportunity

ness and number of times gun-point robbery had taken place in that office involving loss of Govt. cash and properties.

5. That Sir, besides the above official hindrance and unsuitability for a woman official ~~have~~ I have certain domestic problems and with those problems I immediately submitted a humble application to the aforesaid Sr. Supdt. of post offices and requested him in person to consider the case sympathetically and justfully, to meet the end of justice, and to save from undue harassment. After knowing my genuine difficulties the SDOs assured of considering my case and to cancel the order of the above unjust transfer. But painful to mention that the above officer could not maintain his official and personal decorum by keeping his promise and principle and secretly asked the Postmaster/Imphal H.O. to relieve me from Imphal H.O. immediately.

6. That Sir, as a senior and faithful official I was deserving a kind reply from the SDOs about my humble representation dtd. 22.8.96 but I was kept in dark and intentionally I was forcefully got relieved by the Postmaster Imphal H.O. by simply obtaining my signature in the order book. Here I have been openly deprived from the right of Natural Justice for not getting a reply to my representation submitted to SDOs/Imphal both through Postmaster, Imphal H.O. and to him in person highlighting the prevailing pecuniary difficulties and problems justifying cancellation of the order of transfer. A photo copy of the representation dtd. 22.8.96 is enclosed.

7. That Sir, now from the above it may kindly be seen that my transfer was neither a routine transfer nor tenure as the order of transfer was only meant for myself as an isolated case in order to throw me out from Imphal H.O. to cause harassment mental anxiety and to create unprecedented problems to the whole of my family. It is further painful to mention that a far junior man was ordered to take the charge of ~~the~~ from me depriving my legitimate right of seniority.

8. That Sir, in this connection, I may be permitted to point out that in Imphal Head post office at present (two) posts in supervisory cadre are lying vacant and both posts are manned by junior post officials

Contd. P/3...

9, That Sir, I may also be permitted to mention here that a large number of officials both in clerical as well as supervisory cadre are working for more than decades and in such circumstances my isolated transfer under cooked conspiracy has tarnished my image and has caused humiliation amongst the junior staff. Now, I am very much mentally shocked, depressed and due to that I am suffering from hyper-tension.

Under the above facts and circumstances it may kindly be seen that the above sudden piece - meal transfer is neither the routine transfer nor tenure transfer in the interest of service but it is issued with biased prejudiced and malafied intention only to harm me by abusing official power and might by a senior officer like SSPOs, under whom I remain as a humble servant. Being myself a woman a weaker section of the Society have no courage and right to oppose anything to the higher authorities like SSPOs and as such I need your immediate intervention to enquire the whole episode and cause to cancel the unjustful order of transfer at the end of justice.

Yours faithfully,

Dated at Imphal,
the 27.02. '93.

Th. Shyama Devi
(Th. Shyama Devi)
A.P.M. Perce/Imphal Ho.

Now at Postal Colony,
Imphal-795001.

Copy to :-

1. Sri L. Zadeng, C.P.M.C., N.S. Circle, Shillong for information and necessary immediate action.
2. Sri R.K.B. Singh, Sr. Supdt. of Post offices, Imphal for his kind information and re-consideration for cancellation of order of transfer. Since I am bed-ridden due to hyper-tension increased due to mental shock and depression I am not in position to perform my duties and need complete rest for restoration and ~~normalcy~~ normalcy of my health. The S.A.-1 and M.C. are forwarded through proper channel.

Contd. P/4...

Handwritten signature/initials

3. Sri Bhattacharjee, Circle Secretary,
A.I.P.E.U. Class-III Shillong for his
kind information with request to kindly
take up the issue with circle and Director-
rate level so that such intentional
harassment is not imposed to a junior
official like me.
4. Sri Kh. Ibobi Singh, Divisional
Secretary, A.P.P.E.U. Class-III, Imphal
for information and necessary action.

Th. Shyama Devi
(Th. Shyama Devi)
A.P. (Parcel Branch) Imphal
H.O. - 785001.

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Alto m

16-9-96

To

(1) The Secretary,
Department of Posts,
Ministry of Communications,
Govt. of India,
DAK BHAVAN,
NEW DELHI - 1.

(2) Mr. L. Zedong,
Chief Post Master General,
N.E. CIRCLE,
SHILLONG - 793 001.

(3) Mr. P.K. Biswanath Singh,
Sr. Supdt. of Post Offices,
Manipur Division,
IMPHAL - 795 001.

(4) Mr. A.P. Sil,
Post Master,
IMPHAL - 795 001.

Sir,

Under instruction from my client smti. Th. Shyama Devi, Asstt. Post Master, Imphal H.O., Manipur, I hereby give you notice to the following :-

1. That my client is a resident of Imphal Town and Mr. P.K. Biswanath Singh, Senior Supdt. of Post Offices, Manipur Division, Imphal who joined in his post only on 6.8.96, is also a resident of Imphal Town.
2. That my client on being promoted joined only on

contd... p 2.

[Handwritten signature]

1.9.96 as Asstt. Post Master (Parcel) at Imphal H.O. and Mr. Singh joined as Sr. Supt. of Post Offices only on 6.9.96.

3. That on 21.9.96 my client was shocked to receive an order typed and signed by the Sr. Supt. of Post Offices himself vide his Memo No. B-32/General Transfer dated 21.9.96 transferring my client to Metripukhuri Sub-Post Office which is situated in an interior place from Imphal and Terrorist affected area. Previously on several occasions, Govt. properties including Cash etc. were looted from that office on gun-point.

4. That prima facie the impugned order is malicious, vindictive and has been passed in colourable exercise of power. To substantiate the above, it may be stated that my client has been asked to hand-over charge to a junior post clerk, which is unheard of in Service Jurisprudence.

Copies of orders are enclosed herewith as

Annexures - A & B.

5. That now, the said Metripukhuri Sub-Post Office will have to be run by two lady officials including my client which is situated in a Terrorist affected area. It may be considered as to what kind of interest of service is involved in such malicious and vindictive transfer which was passed without caring for the public interest and the loss of Govt. properties.

6. That my client entered ~~xxxx~~ in the Postal Service in the Cadre of Postal ACA in the year, 1970 and

contd... p 3.

has completed 26 years of fine career of service.

Under the prevailing rule of Postal Department, my client got promotion in the L.S.G. Cadre on completion of 16 years of transparent service and by virtue of seniority, she is now senior most L.S.G. Official in Manipur Postal Division awaiting for promotion in H.S.G. Cadre under B.C.F. scheme but arbitrarily a junior to her has been allowed to officiate against supervisory H.S.G.-II Cadre in Parcel and Registration branches of Imphal Head Post Office for a long time suppressing the legitimate claim of my client.

7. That my client has sufficient reason to believe that the impugned order of transfer is neither routine nor tenure which has violated the general rules and principles of transfer as many other officials have been serving at Imphal H.O. for more than a decade without following any rigid principles of transfer.

You may very well understand about the motive behind such pick and chose transfer victimising a loyal, honest and efficient lady official.

8. That my client is the only earning member in the family. Her daughter is reading in Class - X at Imphal and her aged father is bed-ridden since 1990 due to paralysis. Under no circumstances, her father can be shifted to any other place at this critical juncture.

9. That being aggrieved by the transfer order, my client has preferred a representation on 27.8.96, but no response has been made to the representation. Needless to

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say that my client has got a right of consideration, more so when it is alleged that the order of transfer is not forwarded on bonafide, but it is mala fide.

In the premises aforesaid I on behalf of my aforesaid client make a demand that her transfer order be cancelled in consideration of her representation dated 27.8.96 and the contentions made in this NOTICE. This may be done within 15 days of receipt of the NOTICE, failing which my instruction is to take legal action in the matter. In such an eventuality, you will be responsible for the consequences thereof.

I hope and trust that there would be no occasion for litigation and the grievance of my client would be redressed.

With regards.

Yours faithfully,

(B K TALUKTAR)
ADVOCATE

Handwritten signature

From:-

B.K. Telukdar,
Advocate
Guwahati High Court.

Lot Bye Lane
South Garanta
Near Kasturi Bhai Ashram
ULUBARI GUWAHATI - 7

TO,

1. The Secretary,
Department of Posts,
Ministry of Communications,
Govt. of India,
Dak Bhawan, New Delhi- 110 001.
2. Mr. L. Zadeng,
Chief Postmaster General,
North Eastern Circle,
Shillong-793001.
3. Mr. R.K. Biswanath Singh,
Sr. Supdt. of post Officers,
Manipur Division, Imphal- 795001.
4. Mr. A. R. Sil,
Postmaster,
Imphal H.O.-795001.

Subj:-

Advocate Notice- case of Smti. Th. Shyama Devi,
Asstt. Postmaster, Imphal H.O, Now : SPA Designate
Kantripukhri S.O.

-AND-

Addition to the Advocate Notice dtd.16.03.96 issued
by me in the matter of malicious, vicious and
arbitrary order of transfer issued by Mr. R.K.
Biswanath Singh, Sr. Supdt. of post Offices,
Imphal vide his Memo. No. B. 32 General Transfer
dtd.21.08.96 to my client, the aforementioned
Smti, Th. Shyama Devi.

Sir,

In continuation of my notice dt. 16.3.96, I hereby
give you this notice informing the following additions to my
earlier notice dtd 16.3.96 in order to provide you adequate
an sufficient opportunity to take appropriate action and
issue immediate order for cancellation of malicious, &
colourful and intentional order of transfer issued vide
Memo No.B. -32/ General Transfer dtd.21.08.96 by Mr. R.K.

Biswanath Singh , Sr. Supdt. of post Offices, Manipur Division , Imphal.

1. That in para-3 of my earlier notice dtd 16.9.96, the word " interior " appearing in fifth line may be read as " isolated ", and in the sixth line the word " effected " may be read as " accessible ". Similarly the word " effected " appearing in the third line of para-5 may also kindly be read as " accessible".
2. That despite a lapse of about a month , no action to rescue my ailing client has been proceeded with by the second party viz. Mr. L.Zadeng, Chief postmaster General., although the request for immediate intervention to nullify the effect of malicious and vicious order of transfer was made and transmitted to him , by name, by FAX on 27.8.96.
3. That my client, had not, for years together, been awarded her legitimate position in supervisory cadre by side lining and ignoring her seniority and neglecting her prestige and self - respect.
4. That my client, when reminded her seniority and satisfactory service to the then supdt. of post Offices, Imphal. she was provided a position as Asstt. postmaster (Parcel) Imphal HO for a while, so to say less than a month and with a view to humiliate her and to cause irreparable damage to the family life and mental peace of my client, an order of transfer was issued in well - intended, pre- planned and malefic manner so that my client in one hand be deprive of her legitimate claim to supervisory post as she will not be

Alux
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able to move out of Imphal due to her health grounds and family problems, and on the other hand be victimised on revenge and personal grudge for having claimed a legitimate position by virtue of her seniority and satisfactory service which she did not claim with utmost tolerance.

5. That the third party viz. Mr. R.K. Biswanath Singh, Sr. Supdt. of post Offices Imphal had mentioned a very vague term in the transfer order that it was issued in the interest of service. Here, it may be mentioned that if public service is really served by posting my client as sub postmaster, Mantripukhri S.O, then what prevented the way of such expediency of public service before a month of issuing the present order of transfer, while posting her as Asstt. Postmaster (Parcel) Imphal HO or what such new expediency arose within a short while of posting her as Asstt. postmaster (Parcel) Imphal HO, when my client neither had completed her tenure in the post of Asstt. Postmaster, Imphal HO, nor she became a point of adverse impact on administration so as to justify her continuance as Asstt. postmaster, Imphal HO undesirable in the interest of public service.

6. That my client has further reason to believe that the aforesaid order of transfer was colourful and out of motivation. If the order of transfer was in the interest of service perhaps there was no reason in the part of party No.3 not to dispose of the representation of my client dtd 22.8.96. Rather a clandestine instruction to relieve my client from Imphal HO without explaining and informing her of the expediency of public interest/ service interest involved in her transfer from Imphal HO to Mantripukhri S.O, was issued

to the party No.4 above by the party No.3 viz.

Mr. R.K. Biswanath Singh, Sr. . Supdt. . of post Offices,
Imphal.

7: That the transfer of my client from out of
Imphal, HO, where she neither completed her tenure by
virtue of the fact that she took over as Asstt. post
master (Parcel), Imphal H.O only a fortnight ago, nor
has become prejudicial to continue ~~adverse~~ in office, has
caused serious impairment to the administration and
transfer policy, and also proved the action of
Mr. R.K. Biswanath Singh, Sr. Supdt. of post Offices,
Imphal as totally prejudicial, subversive and mala fide.

8: That the attempt of Third party viz. Senior
Supdt. of post Offices, Imphal to drive my client
out of Imphal H.O and from supervisory post in the
name of interest of service and bringing one
Shri . S. K alach and singh from Mantripukhri in her place
was nothing but his self motivation. It may be
mentioned that the aforesaid Shri. S. Kalach and Sing
was mentally unbalanced and due to that he was on
Medical leave for more than 1 1/2 (one and half) year
prior to his posting at Mantripukhri S.O.
The said Shri. S. Kalach and Singh ~~had already~~ had already
given written understanding to the authorities that
he would not be able to take up any heavy mental and
physical works.

9: That the case of my client, being a member of
weaker section of the society called woman ought to
have been considered in the light of humanity and
~~manhood~~ ^{womanhood} while issuing her transfer order to an office
situated in an isolated place where adequate
security arrangements are not available in view of
the present law and order situations prevailing in
Manipur, and also the past incidents took place in
Contd...5/-

Answer for

that particular area/ office taken into consideration in view of that , that area is Terrorist accessible. But the very human approach has been hustled off, and the order of transfer has been issued in most inhuman and ~~arbitrary~~ arbitrary manner.

10. That till this date, the Registration and parcel Branches of Imphal H.O are being headed by the officials most junior to my client. But the third party. viz. Mr. R.K.Biswanath Singh, Sr. Supdt. of post Offices , Imphal after knowing that my client has come forward with her legitimate grounds for maintaining status-quo as Asstt. Postmaster(Parcel Branch), Imphal H.O he is now in a war-footing exercise to legalise his illegal and arbitrary transfer by hook and crook. Thus , on all the above facts, my client has every possible proofs to believe that the order of transfer from Imphal H.O to Mantripukhri S.O has been issued with malefide intention to cause her undue harassment, mental agony and to dis-tabilise her Career.

11. That Mr. R.K. Biswanath Singh , Sr.Suptd. of post Offices, Imphal has not intentionally granted the leave of my client which she applied due to the shock, mental depression and agony caused upon her by the colourful transfer order issued by the said Mr. R.K.Biswanath Singh, although my client has applied for leave on medical grounds duly supported by Medical certificate.

12. That due to non-granting and non-sanctioning of leave, my client would not get monthly pay/leave salary for Sept/96, which will cause undue financial hardship , mental tension, starvation and danger to life of self and also the father of my client as both

45 - 49

require timely medical care on having been bed-ridden, one due to hypertension and the other due to paralysis respectively. So, the third party ~~nam~~ namely. Mr. R.K. Biswanath Singh, Sr. Supdt. of post Offices, Imphal shall be primarily responsible for any untoward eventuality alongwith the second party namely. Mr. L. Zadeng, Chief postmaster General Shillong who failed to use his good office to rectify the mistake/fault of his subordinate authority.

13. This notice shall also give rise to my client to claim cost of legal proceedings if any initiated due to inaction of parties 1 to 4 above on this advocate's notice and shall form the part of application to be filed in the Hon'ble CAT or any other competent legal forum depending upon the eventuality, to substantiate her claim.

Now, therefore, I request and demand you that the malicious, arbitrary and ~~the~~ colourful order of my client's transfer issued under cooked conspiracy may kindly be cancelled on the basis of facts and contentions submitted before concerned authorities both in her representation dtd. 27.8.96 and my earlier notice dtd. 16.9.96 alongwith this present one. This may please be done within 15 (Fifteen) days of receipt of this present notice. Failure to take appropriate action shall invite legal action for which and all other consequences there of, you all will both severally and jointly be responsible.

Contd.... 7/-

Atm...

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I hope and trust that ~~there~~ there would be no occasion for litigation and the grievances of my client would be redressed with humanitarian approach added with flavour of justice.

With regards,

Yours faithfully,

(B.K. Talukdar)
Advocate.

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